

which is offered by the gentleman from Ohio (Mr. KASICH) and me of the Committee on the Budget and the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) of the Committee on Appropriations. This is the right way to go.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise as a volunteer member of the off-budget committee, as suggested by my distinguished friend and colleague, the gentleman from South Carolina (Mr. SPRATT).

Mr. Chairman, I have heard more red herrings in this debate this afternoon than I have heard in a long time on the House floor: No fiscal discipline, all restraints do not count.

Baloney. The aviation tax is a restraint. We cannot get more than the taxes provide. The general revenue limit in this bill, that is a restraint. We do not allow the general revenue funds to increase. Any increase demanded by operations is going to come out of the ticket tax fund. The Committee on Appropriations has the ability to limit obligations. That is a restraint.

Ignore the rest of the budget? Baloney. The same gang that cannot shoot straight today could not shoot straight last year. They said last year on T-21, oh, my God, the sky is falling if we pass this bill. We will not be able to do health care, we will not be able to do education, we will not be able to do all the other good things we want in this Federal budget.

Well, we are doing them. The construction crews are out there on the highways building the road improvements, building the bridge improvements that America wants and needs, making the transit improvements in America's cities they need. All we want is to do the same thing, have the same fairness with the aviation trust fund.

Will our good friends and colleagues on the Committee on Appropriations guarantee a commitment to spend out the revenues into the aviation trust fund that come in from the ticket tax every year? I did not hear any of that in the preceding debate. I did not hear any commitments to assure that the taxes and the interest thereon will be invested for the purpose for which air travelers are taxed. We did not hear any of that debate.

We heard all this stuff about the general revenues of the United States, of the Federal government. Other agencies provide safety services to the public, including the Food and Drug Administration, the Food Safety Inspection Service, the Occupational Safety and Health Administration, environmental protection. They get 80 percent of their budgets, at least, from the general fund. The FAA is going to get about 23 percent.

We are assuring that the taxes into the trust fund will go to cover the cost of general revenues.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding and raising that point.

Mr. Chairman, I am here to tell the gentleman that the Committee on Appropriations will guarantee and does guarantee by this amendment that the income from that aviation tax going into the trust fund would remain there. The interest would remain there. We have not and would not attempt to use that funding for any other purpose. I want the gentleman to be assured of that.

Mr. OBERSTAR. Reclaiming the little bit of time I have left, Mr. Chairman, I appreciate the gentleman and would be delighted if he would just include firewalls. That is all that is missing from that language. What we need to have is real firewalls.

Ultimately, Mr. Chairman, this amendment comes down to how does it affect each Member's State and each Member's airport. Here, come to this desk. Here is a glimpse of the future. Take a look at how the cuts that will result from this amendment will affect Members' airports. We can show them how that will affect their airport.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Wisconsin.

Mr. OBEY. I think there is another question that ought to be asked: How will it affect the country if we blow the budget?

Mr. OBERSTAR. It will affect the country by improving airports, increasing the efficiency of air travel, improving the national economy, keeping America the leader in the world in aviation.

Let us vote for the 21st century. Let us vote for this bill, and vote down on this amendment.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent to strike the last word.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Chairman, I have been informed that there is a problem in the Capitol as a result of an event that is taking place in the Rotunda right now, and that Members will not be, though it is a wonderful event taking place, Members will not be able to get here for the vote.

Therefore, in consultation with the gentleman from Florida (Chairman YOUNG), the two of us have agreed that I will make a motion in a few seconds that the committee do now rise, and it will be for about 30 minutes, I am told.

Then we will come back and the two remaining speakers on this amendment will be the gentleman from Florida (Chairman YOUNG) and myself.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply observe that this is not the first time there has been a problem in the Capitol. But I agree with the gentleman's solution.

Mr. SHUSTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOLF) having assumed the chair, Mr. BONILLA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1000) to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes, had come to no resolution thereon.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 57 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1655

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. THORNBERRY) at 4 o'clock and 55 minutes p.m.

#### AVIATION INVESTMENT AND REFORM ACT FOR THE 21ST CENTURY

The SPEAKER pro tempore. Pursuant to House Resolution 206 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1000.

□ 1656

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1000) to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes, with Mr. BONILLA in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, pending was Amendment Number 2 printed in part B of House Report

106-185 by the gentleman from Florida (Mr. YOUNG).

The gentleman from Florida (Mr. YOUNG) has 2 minutes remaining in debate, and the gentleman from Pennsylvania (Mr. SHUSTER) has 2½ minutes remaining in debate.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the Young-Kasich amendment.

This amendment guarantees that aviation will get its fair share of the funding. Our amendment allows us to spend all of the aviation revenues and spend them only on authorized aviation purposes.

Since the trust fund was created in 1970, we have appropriated all of the ticket tax revenues and more. And my amendment does nothing to undermine that policy. This is a policy that is fair to the traveling public.

Our amendment deletes those parts of the bill which bust the budget and put FAA spending on autopilot. Without the amendment, AIR 21 makes already strained budget cap problems \$3 billion worse each year because it guarantees a locked-in amount for general fund appropriations.

Our amendment preserves the ability of this Congress to control aviation spending and provide real tax relief for American families. This amendment is endorsed by all of the leading budget watchdog groups, including Citizens Against Government Waste, the Concord Coalition, and Americans for Tax Reform.

Also, we have been advised that because of this section 103(b), the administration is recommending a veto on the bill.

So I would suggest that it would be in all of our best interest and in the best interest of the aviation industry and the flying public and in the best interest of those who are committed to balancing the budget and preserving the surplus for Social Security and, hopefully, in the future for a tax break that we support this amendment and take out the onerous part of this bill that is a budget buster.

I would ask that our colleagues when they come to the floor to take the opportunity to read the handouts that we will have to show just exactly how this is a budget buster and to be assured that we are not taking one penny away from the monies in the trust fund that have been paid in by the traveling public, the people who fly in airlines all over this great Nation of ours.

So the concern that was expressed by my colleague the gentleman from Minnesota (Mr. OBERSTAR) earlier in the debate that that would happen is just not the case. That is guaranteed. That is protected. That is there until somebody changes the basic law. This

amendment does not change that. This amendment keeps this bill from being a budget buster.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have been absolutely astonished at the misinformation that has been put out during the course of this debate. People are entitled to different opinions, but they are not entitled to different facts.

Read the bill. Fact one is, this does not break the budget caps. This is funded outside of the budget through a tiny portion of the tax cut.

Fact number 2, this does not touch the Social Security surplus.

Fact number 3, this eliminates general funding.

We hear about general funding, the use of the general fund, as though this were something new. This has been a part of the aviation bill from day one.

Indeed, the very commission that we created indicated that it is proper for there to be general funding for aviation because it is in the public interest.

□ 1700

Fact No. 4: We actually freeze the level of general funding so there can be no increase in spending from the general fund, which takes pressure off the appropriators in the future.

And Fact No. 5: When my colleagues come to the floor, they should look at what this does to their airport if this passes. Primary airports will lose 67 percent of their entitlements; cargo airports will lose two-thirds of their entitlements. General aviation airports will lose all of their entitlements.

The Speaker of the House supports our legislation, the Democratic Leader supports our legislation. Indeed, the Speaker has said he will come to the floor not only supporting this legislation, but actually will vote in favor of our legislation.

So defeat this killer amendment so that we can proceed to do what is right for America and improve America's aviation system. Mr. Chairman, I urge opposition to this amendment.

The SPEAKER pro tempore (Mr. BONILLA.) The question is on the amendment offered by the gentleman from Florida (Mr. YOUNG).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 248, not voting 7, as follows:

[Roll No. 207]

AYES—179

Aderholt  
Archer  
Armey  
Baldwin  
Ballenger

Barrett (NE)  
Barrett (WI)  
Barton  
Becerra  
Bentsen

Berman  
Biggert  
Bilirakis  
Bliley  
Blunt

Boehner  
Bonilla  
Boyd  
Brown (OH)  
Burr  
Callahan  
Calvert  
Canady  
Cardin  
Castle  
Chabot  
Chambliss  
Clayton  
Clyburn  
Coburn  
Condit  
Conyers  
Cox  
Cramer  
Cunningham  
Davis (FL)  
DeLauro  
DeLay  
Dickey  
Dicks  
Dixon  
Doggett  
Dooley  
Dreier  
Dunn  
Edwards  
Ehrlich  
Emerson  
Eshoo  
Etheridge  
Everett  
Farr  
Foley  
Fossella  
Frelinghuysen  
Gibbons  
Gillmor  
Goodlatte  
Goss  
Graham  
Granger  
Green (WI)  
Hall (OH)  
Hall (TX)  
Hayworth  
Hefley  
Herger  
Hinchey  
Hobson  
Hoeffel

Hoekstra  
Holt  
Hoyer  
Hulshof  
Hunter  
Hyde  
Istook  
Jackson (IL)  
Johnson (CT)  
Johnson, Sam  
Jones (NC)  
Kaptur  
Kasich  
Kilpatrick  
Kind (WI)  
Kingston  
Knollenberg  
Kolbe  
LaFalce  
Latham  
Levin  
Lewis (CA)  
Linder  
Lofgren  
Lowey  
Luther  
McCrery  
McInnis  
McIntosh  
McKeon  
Meehan  
Miller (FL)  
Miller, George  
Minge  
Mollohan  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nethercutt  
Obey  
Olver  
Ose  
Oxley  
Packard  
Pastor  
Pelosi  
Pickering  
Pitts  
Porter  
Portman  
Price (NC)  
Ramstad  
Regula  
Riley

Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Roukema  
Roybal-Allard  
Royce  
Ryan (WI)  
Ryun (KS)  
Sabo  
Salmon  
Sanford  
Sawyer  
Scarborough  
Schaffer  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Skeen  
Skelton  
Smith (MI)  
Smith (TX)  
Smith (WA)  
Snyder  
Spratt  
Stearns  
Stenholm  
Stump  
Sununu  
Tancredo  
Taylor (NC)  
Thomas  
Thompson (MS)  
Thornberry  
Thurman  
Tiahrt  
Toomey  
Vento  
Visclosky  
Walsh  
Wamp  
Watkins  
Watt (NC)  
Waxman  
Weller  
Weygand  
Wicker  
Wolf  
Wu  
Young (FL)

NOES—248

Abercrombie  
Ackerman  
Allen  
Andrews  
Bachus  
Baird  
Baker  
Baldacci  
Barcia  
Barr  
Bartlett  
Bass  
Bateman  
Bereuter  
Berkley  
Berry  
Bilbray  
Bishop  
Blagojevich  
Blumenauer  
Boehlert  
Bonior  
Bono  
Borski  
Boswell  
Brady (PA)  
Brady (TX)  
Brown (FL)  
Bryant  
Burton  
Buyer  
Camp  
Campbell  
Cannon  
Capps  
Capuano  
Carson  
Chenoweth

Clay  
Clement  
Coble  
Collins  
Combest  
Cook  
Cooksey  
Costello  
Coyne  
Crane  
Crowley  
Cubin  
Cummings  
Danner  
Davis (IL)  
Davis (VA)  
Deal  
DeFazio  
DeGette  
Delahunt  
DeMint  
Deutscher  
Diaz-Balart  
Dingell  
Doolittle  
Doyle  
Duncan  
Ehlers  
Engel  
English  
Evans  
Ewing  
Fattah  
Filner  
Fletcher  
Forbes  
Ford  
Fowler

Frank (MA)  
Franks (NJ)  
Frost  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Gilchrest  
Gilman  
Gonzalez  
Goode  
Goodling  
Gordon  
Green (TX)  
Greenwood  
Gutierrez  
Gutknecht  
Hansen  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hill (IN)  
Hill (MT)  
Hilleary  
Hilliard  
Hinojosa  
Holden  
Hooley  
Horn  
Hutchinson  
Inslee  
Isakson  
Jackson-Lee  
(TX)  
Jenkins  
John  
Johnson, E.B.

Jones (OH)	Millender-	Sherwood
Kanjorski	McDonald	Shimkus
Kelly	Miller, Gary	Shows
Kennedy	Mink	Shuster
Kildee	Moakley	Simpson
King (NY)	Moore	Sisisky
Klecza	Moran (KS)	Slaughter
Klink	Nadler	Smith (NJ)
Kucinich	Napolitano	Souder
Kuykendall	Neal	Spence
LaHood	Ney	Stabenow
Lampson	Northup	Stark
Lantos	Norwood	Strickland
Largent	Nussle	Stupak
Larson	Oberstar	Sweeney
LaTourette	Ortiz	Talent
Lazio	Owens	Tanner
Leach	Pallone	Tauscher
Lee	Pascarell	Tauzin
Lewis (KY)	Paul	Taylor (MS)
Lipinski	Payne	Terry
LoBiondo	Pease	Thompson (CA)
Lucas (KY)	Peterson (MN)	Thune
Lucas (OK)	Peterson (PA)	Tierney
Maloney (CT)	Petri	Towns
Maloney (NY)	Phelps	Traficant
Manzullo	Pickett	Turner
Markey	Pombo	Udall (CO)
Martinez	Pomeroy	Udall (NM)
Mascara	Quinn	Upton
Matsui	Radanovich	Velázquez
McCarthy (MO)	Rahall	Vitter
McCarthy (NY)	Rangel	Walden
McCollum	Reyes	Waters
McDermott	Reynolds	Watts (OK)
McGovern	Rivers	Weiner
McHugh	Ros-Lehtinen	Weldon (FL)
McIntyre	Rothman	Weldon (PA)
McKinney	Rush	Wexler
McNulty	Sanchez	Whitfield
Meek (FL)	Sanders	Wilson
Meeks (NY)	Sandlin	Wise
Menendez	Saxton	Woolsey
Metcalfe	Schakowsky	Wynn
Mica	Scott	Young (AK)
	Sherman	

## NOT VOTING—7

Boucher	Houghton	Pryce (OH)
Brown (CA)	Jefferson	
Hostettler	Lewis (GA)	

□ 1727

Messrs. BRADY of Texas, HILLEARY, WEXLER, FLETCHER, WELDON of Florida and Ms. MILLENDER-MCDONALD changed their vote from "aye" to "no."

Messrs. DOGGETT, CLYBURN, FOSSELLA, WATT of North Carolina, MINGE, HALL of Texas, GEORGE MILLER of California and SAWYER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider Amendment No. 3 printed in Part B of House Report 106-185.

AMENDMENT NO. 3 OFFERED BY MR. JACKSON OF ILLINOIS

Mr. JACKSON of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 3 offered by Mr. JACKSON of Illinois:

In section 105(a) of the bill, at the end of the matter proposed to be added as section 40117(b)(4) of title 49, United States Code, strike the closing quotation marks and the final period and insert the following:

"(5)(A) If a passenger facility fee is being imposed (or will be imposed) at O'Hare International Airport under paragraph (1) or (4),

the Secretary may authorize under this section the State of Illinois to impose a passenger facility fee of not to exceed \$1.50 on each paying passenger of an air carrier or foreign air carrier boarding an aircraft at the Airport to finance an eligible airport-related project, including making payments for debt service on indebtedness incurred to carry out the project, at an airport located (or to be located) in the State if the Secretary finds that the project meets the criteria described in paragraph (4)(A).

"(B) The maximum amount of a passenger facility fee that can be imposed at O'Hare International Airport by an eligible entity under paragraph (4) shall be reduced by the amount of any passenger facility fee imposed at the airport by the State of Illinois under this paragraph.

"(C) Except as otherwise determined by the Secretary, if the State of Illinois submits an application to impose a passenger facility fee under this paragraph, the State shall be subject to the same requirements as an eligible entity submitting an application to impose a passenger facility fee under paragraph (1) or (4).

"(D) Paragraph (2) shall not apply to a passenger facility fee imposed under this paragraph."

Strike section 105(c)(2) of the bill and insert the following:

(2) by striking "an amount equal to" and all that follows through the period at the end and inserting the following: "an amount equal to—

"(A) in the case of a fee of \$3 or less, 50 percent of the projected revenues to the airport from the fee in the fiscal year but not by more than 50 percent of the amount that otherwise would be apportioned under this section; and

"(B) in the case of a fee of more than \$3, 75 percent of the projected revenues to the airport from the fee in the fiscal year but not by more than 75 percent of the amount that otherwise would be apportioned under this section."; and

The CHAIRMAN. Pursuant to House resolution 206, the gentleman from Illinois (Mr. JACKSON) and a Member opposed each will control 5 minutes.

Mr. SHUSTER. Mr. Chairman, although I am opposed to the amendment in its present form, I ask unanimous consent that the time for this amendment be increased from a total of 10 minutes to a total of 16 minutes so that the gentleman will have an extra 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Each side will, under the unanimous consent agreement, have 3 additional minutes.

The gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Illinois (Mr. JACKSON) each will control 8 minutes.

The Chair recognizes the gentleman from Illinois (Mr. JACKSON).

□ 1730

Mr. JACKSON of Illinois. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to urge support for an amendment that I actu-

ally am planning on withdrawing. I am proud to offer this amendment with my distinguished colleague, the gentleman from Illinois (Mr. HYDE).

Mr. Chairman, this amendment will allow the Illinois Department of Transportation to petition for 50 percent of increased PFC revenues authorized by this bill that will be earned by the Chicago Airport Authority so that PFC funds earned in Illinois will be used in a way that Congress originally intended.

The stated purpose of the Passenger Facility Act was to, and I quote, "Enhance safety or capacity of the national air transportation system, reduce noise from airports, and furnish opportunities for enhanced competition among or between the carriers."

Mr. Chairman, this amendment does not impose extra fees on travelers through Chicago. It merely allows the State of Illinois the opportunity to share in additional PFC revenues provided by Air 21 to help meet the needs of all Illinois residents and honor Congress' intent.

Authorizing a division of funds in this way between the city and the State allows for balanced growth. Appropriate use of PFCs has been an ongoing problem since they were instituted in 1990. The city of Chicago collects the \$3 ticket tax to the tune of about \$100 million a year, although much of this revenue stream is not being used as Congress intended; that is, to increase capacity. Instead, the city uses the PFCs in a number of ways: Number one, to finance a \$1 billion facelift at O'Hare Airport that will not ensure one new flight will land at that airport.

In the district of the gentleman from Illinois (Mr. LIPINSKI) where Midway Airport is located, they are using the PFCs to finance a \$7 million terminal expansion at Midway. This is Midway Airport. As Members can see, they have the longest runway, of 6,446 feet. 21st Century aircraft, 747s, 767s, and 777s, will never land, I say to the gentleman from Minnesota (Mr. OBERSTAR) at Midway Airport. The runway is too short. It has always been too short.

Therefore, the \$76 million that are being used at parking lots and terminal expansion without increasing runway length or space between runways and taxiways at Midway Airport is just another example of how taxpayers and air travelers are paying resources, increased resources under Air 21, without enhancing capacity at some of our Nation's larger airports.

This is Midway Airport. This is O'Hare Airport, under its present configuration. As Members can see, O'Hare Airport, while the busiest airport in the world, is in need of several major improvements in order to increase the length of its runways so that 21st century aircraft can land at this airport.

Mr. Chairman, unless we use passenger facility charges in a way to expand runways, to lengthen runways, to lengthen the space between runways and taxiways, to take airspace more seriously and spacing between aircraft, and not just use the passenger facility charge for offsite airport projects, including the building of highways and light rail across our country, we will indeed never meet the expectations of Air 21.

Mr. SHUSTER. Mr. Chairman, I yield 4 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. JACKSON of Illinois. Mr. Chairman, I yield 30 seconds to the gentleman from Minnesota (Mr. OBERSTAR).

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) is recognized for 4½ minutes.

Mr. OBERSTAR. Mr. Chairman, I, of course, rise in opposition to the amendment offered by the gentleman from Illinois (Mr. JACKSON), but I respect enormously the sincerity and integrity with which he offers this amendment. I appreciate very much his concerns about the use of PFC charges.

When in 1990, as chair of the Subcommittee on Aviation, I crafted the passenger facility charge in conjunction with my colleagues on the Republican side, then our ranking member, the gentleman from Pennsylvania, Mr. Clinger, and with then Secretary of Transportation Sam Skinner, we had in mind that the increased revenues from the PFC would be invested in taxiways, runway improvements; airside, hardside improvements.

But as it turned out over the years, airlines opposed those improvements, airport neighbors opposed major runway improvement projects, and airports turned their attention to the ground side; that is, the access for passengers to the gates and to their aircraft.

Over the years, 23 percent of the PFCs were invested in the hard side improvements and in increasing capacity for airports, increasing competition by adding gates for new competitors.

However, in the nearly decades since the PFC has been in operation, those earlier obstructions to investment in runway and taxiway improvements have been overcome. More of the PFC dollars now are being invested in competition-enhancing projects, and the need for those projects is only growing in the future. We have to give airports the ability to meet those requirements through this additional PFC.

The basic problem with gentleman's amendment, Mr. Chairman, is that it would give another level of government control over what has been a local Airport Authority power.

The prohibition in Federal law that we adjusted in 1990 with the PFC was to lift the prohibition on airport authorities to impose revenue-generating

measures. That prohibition applies to the Airport Authority. We did not give such power or legal authority to State government.

The gentleman's amendment would provide that the State of Illinois, not a government authority that has responsibility directly for O'Hare, would gain control over a portion of PFCs that would be generated by O'Hare. In fact, the provision would allow the fees collected at O'Hare to be used for any airport project anywhere else within the State.

That is not appropriate. That violates the integrity of the PFC and of the concept that we initiated in 1990 with the passenger facility charge.

Mr. JACKSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. I thank the gentleman for yielding.

Mr. Chairman, if the gentleman would kindly respond to a question, there are no present plans, according to the gentleman from Illinois (Mr. LIPINSKI), as heard earlier by most Members who were present and those who were listening by way of C-Span, indicating that one PFC dollar, according to the mayor of the city of Chicago, will be used for new runways; that not one PFC dollar would be used to expand the 6,446-foot runway at Midway Airport.

My specific question is, since the mayor of the city of Chicago has indicated that PFC revenues will not be used to expand or lengthen runways, they are using most of the PFC revenues, if not all, as the gentleman from Illinois (Mr. LIPINSKI) said earlier, for offsite rail projects, offsite airport projects.

I am interested in gentleman's position on capacity and expanding capacity consistent with the 1991 Act.

Mr. LIPINSKI. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Illinois.

Mr. LIPINSKI. Mr. Chairman, I would just like to say that the gentleman asked me a question earlier in regard to what Mayor Daley had to say at a meeting of the Illinois delegation. He made the statement that he would not use any of the PFC money for the extension of runways or additional runways at O'Hare Airport.

I said to the gentleman, that is what I heard him say, but that is all I agreed to. I didn't say anything about off the airport or anything like that.

Mr. JACKSON of Illinois. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, the gentleman from Illinois (Mr. JACKSON) is absolutely, positively right. I was here when the proposal was made for this tax, and

foolishly I believed that it was for providing funds to build a third airport, something I am for and something Chicago desperately needs, so I voted for it.

When the third airport fell through because it had to be built in Chicago or it could not be built, then the money was diverted for other purposes. It has never gone for the purpose for which it was promised and intended. That is wrong. The amendment of gentleman from Illinois (Mr. JACKSON) is right and ought to be supported.

They say, we cannot beat City Hall. We are proving it again today. I am for the amendment offered by the gentleman from Illinois (Mr. JACKSON).

Mr. SHUSTER. Mr. Chairman, I yield my remaining 4 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chairman, I thank the chairman of the full committee for yielding time to me.

Mr. Chairman, I would like to say, in regard to this particular amendment, I can certainly understand the position of the gentlemen from Illinois, Mr. JACKSON and Mr. HYDE, but I definitely disagree with them. I very strongly oppose this amendment.

Mr. Chairman, first of all, as the gentleman from Wisconsin (Mr. OBERSTAR) made mention, the law states that money collected by an airport or an airport authority is to be spent at that airport or by that airport authority.

The gentlemen from Illinois, Mr. JACKSON and Mr. HYDE, want to move the ability to spend PFC money collected at Midway or O'Hare to the State of Illinois. The State of Illinois has tried once before to do this. A Federal appellate court has turned them down and said that this would be illegal. The money must be spent at O'Hare and Midway Airport.

On top of that, though, the new outstanding Republican Governor of Illinois, Mr. George Ryan, has categorically stated privately and publicly that he wants no PFC money from Midway Airport or from O'Hare Airport to go into any other airport in the State of Illinois.

Mr. Chairman, the gentleman has a very nice blown-up picture there of Midway Airport. If the gentleman went a little bit farther west, the gentleman would even have my home in that picture. Unfortunately, the gentleman did not manage to do that.

But the gentleman did mention the fact that we are spending a lot of money on building a new terminal at Midway Airport. The gentleman said that this is not going to increase capacity. That is an error on gentleman's part. The new terminal being built on the east side of Cicero Avenue will enable us to install 12 new gates at Midway Airport. This will definitely increase the capacity at Midway Airport.

Right now Midway Airport emplanes about 1.1 million people a year. With

the new terminal and the new gates and the increased availability of that facility to people all over Chicagoland, we will have a capacity of close to 8 million emplanements a year.

So I say to my good friend, the gentlemen from Illinois, Mr. JACKSON and Mr. HYDE, that I understand their amendment, but their amendment goes against everything that the PFC has gone for in the past. I ask my colleagues here today, if this comes to a vote, to strongly reject this amendment.

□ 1745

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

Mr. JACKSON of Illinois. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Chairman, I rise in strong support of this amendment, an amendment which will help move forward an important project for Chicago and the south suburbs, a third airport which is badly needed.

People often say well, tell us why a third airport is needed for the city of Chicago. So I would like to list three reasons. One, of course, is, as we know, air travel is growing. Air travel is expected to triple in the next 25 years, triple to the point where we will have 90 million passengers travel through the Chicago metropolitan area.

O'Hare and Midway will only be able to accommodate 60 million. Clearly, if we are going to accommodate that growth in air travel, the tripling of air travel, we must expand our capacity. The only way to expand our capacity is a south suburban third airport.

The second reason, in a metropolitan area of 7½ million people in the Chicago metropolitan area, there are 2½ million who reside within a 45-minute radius of the proposed site near Peotone University Park, which is located in the district that I represent, the Chicago south suburbs.

A population of 2½ million people justifies an airport in Baltimore or St. Louis.

Third, when we think about the old adage that when we improve transportation we create jobs, we have to be honest and that does give us the opportunity to bring a quarter million new jobs to the Chicago metropolitan area. We can use them on the Chicago south side, the south suburbs.

A south suburban third airport has bipartisan support. I am pleased that we have the support in leadership from our new Governor George Ryan, our new Senator PETER FITZGERALD, as well as bipartisan support within the House delegation from Illinois, from the gentlemen from Illinois (Mr. JACKSON), (Mr. HYDE), (Mr. EWING), (Mr. RUSH) and myself.

It is that kind of bipartisan support that has made this a good project that

is important to aviation, as well as the Chicago area.

I would also like to note that this past week the Illinois State legislature, as well as the Governor, approved \$75 million by the State of Illinois to begin purchasing land and begin the process of moving forward on a south suburban third airport, and that was the key part of Governor Ryan's Illinois First Project proposal which was signed into law last week.

This amendment is important because what it does is provides a revenue string to match what the State is already doing, to move forward with the south suburban third airport. I ask for bipartisan support.

Mr. JACKSON of Illinois. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Chairman, I want to commend the gentleman from Illinois (Mr. JACKSON) for this amendment. I am just sorry that the amendment will be withdrawn.

This idea, this approach, toward building a third airport in the city of Chicago is much needed. It is much needed for many reasons, as has been stated by many, many others. Let me just say that in my district, the first district of Illinois, we depend on this type of economic development engine to help create jobs in my district, jobs that have been lost over the many, many years, particularly with the closure of the U.S. steel works there in the city of Chicago.

I commend the gentleman from Illinois (Mr. JACKSON) for this amendment. I strongly support a third airport, and I believe that this House should help achieve that particular objective.

Mr. JACKSON of Illinois. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the stated purpose of the PFC Act was to, and I quote, enhance safety or capacity of the national air transportation system, reduce noise from airports and furnish opportunities for enhanced competition among or between the carriers. In theory, this is a good policy. Today, with the passage of Air 21, that passenger facility charge or ticket tax will go from \$3 to \$6. While I have shown my colleagues that not one dollar is going to be spent on site for this particular airport, this airport with a 6,446 foot runway, a 747 will never land at this airport, a 767 will never land at this airport, a 777 will never land at this airport, because they are spending a billion dollars creating first class waiting areas for passengers; not only at Midway Airport, but the same thing is occurring at O'Hare Airport and airports all across our country, because Air 21 fails to define the word "capacity," leaving mayors in many municipalities with the ability to spend pas-

senger facility charges as they so choose.

Mr. Chairman, I am respectfully withdrawing this amendment, but the next amendment, which we will debate for the next hour, I look forward to supporting. I thank the ranking member for the opportunity, I thank the chairman of this committee, the gentleman from Pennsylvania (Mr. SHUSTER), for the opportunity to debate this issue.

Mr. Chairman, I ask unanimous consent to withdraw amendment No. 3.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in part B of House Report 106-185.

AMENDMENT NO. 4 OFFERED BY MR. GRAHAM

Mr. GRAHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 4 offered by Mr. GRAHAM:

Strike section 105 of the bill and redesignate section 106 of the bill as section 105. Conform the table of contents of the bill accordingly.

The CHAIRMAN. Pursuant to House Resolution 206, the gentleman from South Carolina (Mr. GRAHAM), and a Member opposed, each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. GRAHAM).

Mr. GRAHAM. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, a quick summary of where we are at, as I understand it and believe it to be, there are a couple of things about the bill that are long overdue. The gentleman from Pennsylvania (Mr. SHUSTER) has quite eloquently pleaded his case that the trust fund, the Aviation Trust Fund, where we collect taxes for aviation purposes, should be taken off budget and should be used for the purposes intended.

I think he used the term it was morally wrong to do otherwise. I am not so sure I would go that far but it is certainly not good business practices, and I applaud the gentleman for wanting to do that because we need to stop masking the debt, and these trust funds are in the asset column of the Federal Government in a general way and they should not be. We should not take people's tax money designated for a specific purpose and misappropriate it. The gentleman from Pennsylvania (Mr. SHUSTER) is absolutely right for doing that.

The problem that I see is that we have done far more than that. We have taken the trust fund that has, I think, an \$8 billion surplus this year and projected to be \$86 billion by 2008 and we have emptied it out this year or are in the process of emptying it out.

Beyond trust fund money, there are general revenue funds, and in 1997 we came up with a balanced budget agreement and we assigned a number to every function of the government that we deal with; and families and businesses do that every day. We gave this area of our Federal Government a number, and unfortunately what we have done is not only have we taken the trust fund off budget and dumped all the money out, the surpluses and otherwise, between now and 2004 the Office of Management and Budget predicts that we will be missing the mark by \$21 billion. We will spend \$21 billion more than we have allocated in our budget process, and that money has to come from somewhere.

My concern is, what if the economy turns down? What happens to the next worthy cause that comes to the floor of this House where a case can be made for deviating from that number? What will happen is that all the gains we have achieved in the last 4 or 5 years will go down the tubes, and we will wake up one day when the economy chills out, and we will set in place spending plans that we just do not have enough money for and we are either going to raise taxes or cut government, and I do not really see much of a desire to cut government in good times or bad.

So, unfortunately, the sum of where we are at now is that we have done one good thing and created a very bad thing and we are about to create another bad thing. Part of this bill allows for a doubling of the passenger facility charge that came into being in 1990. Ten years later we are going to double that under this bill.

The gentleman from Illinois (Mr. JACKSON) and others have made a very good case that maybe it does not work right already so taking the trust fund off budget was a good thing. Spending a lot more money than allocated under the agreement is a horrible thing that is going to catch up with all of us, and to add on top of that doubling a facility charge that we are really not so sure how it works is just unnecessary.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. SHUSTER) is recognized for 20 minutes.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent that 10 minutes, one-half of that time, be allocated to the gentleman from Minnesota (Mr. OBERSTAR), the distinguished ranking member, for purposes of control.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment because there is a well-defined, indeed strictly defined,

narrowly defined need to give the local airport authorities the flexibility to increase their passenger facility charges if they can make a case that it is necessary.

This is a very, very carefully crafted part of this legislation, because we are in agreement that airport authorities simply should not be able to willy-nilly raise the PFC, but where they can demonstrate a clear-cut need, then I believe a case can be made.

Let me say particularly to my conservative friends that those of us who are conservatives believe strongly that more and more power should be sent back home to the local area. PFCs are decisions made by the local airport authorities; either directly elected, in some cases, or appointed by the local elected officials. So we are sending back home this decision-making process.

However, we are saying that it will be subject to more vigorous Federal oversight. A PFC can be raised above the \$3 level only if the FAA finds the following: That it is needed to pay for high-priority safety, security, noise reduction or capacity enhancement projects and that the project cannot be paid for by available airport improvement grants, which are very significantly increased in this bill; in the case of a building, a road project, that the airside needs of the airport will first be met.

Now, with the higher spending levels in this bill, the increased PFC will probably only be needed at the larger airports. However, it will be needed in some cases. The GAO has identified a \$3 billion gap between the airport infrastructure needs and the available airport funds to meet those needs.

Now, the higher trust fund spending in this bill closes two-thirds of that gap, but the PFC increase is needed to close the remainder of that gap in some areas and ensure that the airport safety and capacity projects are fully paid for. This is not a Federal tax but it is a local charge that local governing bodies can make the decision over so the battle can be fought out back home and not made here in Washington, D.C.

So for all of those reasons, I would urge my colleagues to defeat this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me express my appreciation to our ranking member and to our chairman for the careful work that has been orchestrated in this bill. I rise in opposition to the GRAHAM amendment, and rise in strong support of Air 21 and especially the provision raising the passenger facility charge cap from \$3 to \$6.

This provision complements Air 21's prime focus to ensure that our aviation system receives the funding it needs to be safe, efficient and able to meet its needs as we enter the new millennium. All of us want to have safe planes and I do not think there is anyone here who would work for anything less than that.

Also, in my particular area, our Dallas-Fort Worth airport has been the economic beacon for that entire area. We simply do not have the dollars in any other way but to continue to try to get the assistance of this fund for the expansions and improvements that are needed.

□ 1800

By paying a price equal to the cost of a cup of coffee in a terminal, each passenger flying out of an airport can help make that airport faster, safer, and stronger. Instead of making everyone pay for these improvements, the PFCs charge only those people who use and benefit from the airport.

The PFC provision provides flexibility to airports in using the PFCs for airport expansions and improvements. The provision in AIR21 allows airports to use PFCs in the construction of gates and related areas, which is defined to include the basic shell of terminal buildings.

This will allow airports to use the PFC funds to finance expansion projects, which will increase competition and reduce congestion at our Nation's busiest airports. Further, this provision gives local officials the ability to use funds generated by local airports to build terminals at that particular airport.

This, in conjunction with Federal aviation planning, will bring us fully into the 21st century.

Raising the cap on PFCs give airports flexibility in revenue production. For example, I have the pleasure of representing part of Dallas/Fort Worth International Airport.

D/FW's customers would receive great benefits if the PFC cap were raised. The tax on aviation fuel, which is traditionally passed on to the passenger, is part of the aviation funding system. For every dollar D/FW customers pay in aviation fuel taxes, D/FW receives 11 cents in Airport Improvement Program funds.

In contrast, for every dollar in PFCs paid by D/FW customers, D/FW Airport receives 97 cents. PFCs are the most cost-effective way for airports to make improvements to benefit those who use the airport.

Mr. Chairman, PFCs make a difference. This attempt to strip the PFC provisions is short-sighted and politically motivated. I urge my colleagues to look toward the future. I urge my colleagues to look at PFCs in context and see that this minimal charge makes a world of difference. Please vote against the amendment.

Mr. GRAHAM. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, as I understand the statements just made, the only thing

protecting one and one's wallet is some Federal Government agency going to say no to some local government agency they regulate in terms of taxes. If that makes my colleagues feel good, then vote for this. But the consequence is that they are going to double this tax, and it is going to cost \$1.425 billion a year to the consuming public.

All of these accounting gimmicks we are talking about up here are inside the Beltway. But there is only one taxpayer no matter what kind of budget one is talking about. It comes out of one wallet, and we are trying to protect people.

This bill has spent more than it should, and we are adding a tax on top of it.

Mr. Chairman, I yield 3 minutes to the gentleman from Illinois Mr. JACKSON).

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentleman from South Carolina for yielding me this time.

Mr. Chairman, competition and capacity concerns are not new. In fact, many of the same issues were raised in 1991 when the mayor of the city of Chicago came to this House under then the leadership of the very powerful Ways and Means Chairman Dan Rostenkowski where he proposed building a third airport in the city of Chicago.

Heeding warnings from the FAA, the mayor hoped to ease overcrowding and boost competition with a new airport on Chicago's south side. At the time, the Federal Government was cutting funds for new airport construction. But then our most powerful Democratic Ways and Means chairman pushed through legislation which created a \$3 passenger facility charge, and the stated purpose of that PFC was to do this, enhance safety or capacity of the national air transportation system, reduce noise from airports, and furnish opportunities for enhanced competition among or between carriers.

Now, what does that have to do with the parking lot? What does that have to do with light rail being built to and from inner-city areas to airports? It has absolutely nothing to do with them, because local mayors are using the passenger facility charge for their own purpose.

How about this? In Chicago, the mayor's third airport was never built. Yet he continues to collect a \$3 passenger facility charge. Because of AIR21, he is going to get a \$6 passenger facility charge, \$6.

So how do we increase capacity? Here is one of the shortcomings of the bill, Mr. Chairman, it does not define capacity for the passenger facility charge to be used on site. How do most pilots define capacity? Not first-class waiting areas and red carpet rooms at airports or more beverages or more leather seats for passengers waiting to get on a flight.

They define capacity in the air, in the air, spacing between planes. That is a safety concern. They define it on the ground, the length of a runway. 747s, 767s, 777s, hey, a trend is emerging here. Aircraft are getting larger. They are not landing on little bitty runways. They need longer runways. Because their wing spans are getting wider, guess what, they also need more space between runways and taxiways. But the passenger facility charge is not being used for that purpose.

So I stand in support of the amendment of the gentleman from South Carolina (Mr. GRAHAM). I am urging you, my colleagues, to support the Graham amendment. It makes sense.

Until Congress is willing to define the passenger facility charge consistent with the 1991 intent of Congress, and that is to enhance competition amongst the carriers and capacity of our national air transportation system, that has nothing to do with the space between first class and coach on an aircraft, I say to the gentleman from Illinois (Mr. LIPINSKI). It has nothing to do with that. It has everything to do with the length of runways and space between runways.

Our FAA Administrator has just recently argued that we need 10 new airports the size of O'Hare in order to handle the capacity concerns. That is where the passenger facility charge revenue should be going, taking pressure off of existing systems as opposed to trying to find more ways to add pressure to existing systems.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, the bill and the law makes it very clear that PFCs can only be spent on airport property.

Secondly, there is an implication here that we must not trust local government, because no PFC can be increased unless it not only meets these conditions that we place upon it, but also it is something that the local government, the local airport authority decides to do. I thought we conservatives trusted local government in many cases more than we trust the Federal Government.

The last point I would make is that it is incorrect to assume that just because we increase PFCs, that airports will automatically adopt them. Indeed, today in America, with a \$3 passenger facility charge, there are numerous large hub airports which do not charge PFCs, including the busiest airport in America, which is the Atlanta airport, charges zero PFC. In fact, there are seven of the largest hubs of America that charge no PFCs, and 15 of the medium-sized hubs which charge no PFCs. So the suggestion that one is just going to run out and charge PFCs simply is not supported by the facts.

Mr. Chairman, I am happy to yield 4 minutes to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, in 1998, there were 648 million passenger enplanements. So this is not some theoretical esoteric subject that most people have no knowledge of.

We all know what it is like to fly today. We all know there are tremendous problems with it, problems that are developing because of the increased usage of air transportation. It is a good thing that this is increasing, but we need to keep up with the development of our capacity in order to handle it.

In 1998, 23 percent of major air carrier flights were delayed. Everyone has experienced that kind of a delay.

Although aircraft technology continues to improve, the time to fly between several major cities has increased over the past 10 years simply due to congestion. To account for delays, airlines have increased scheduled flight times on nearly 75 percent of the 200 highest volume domestic routes.

I might add, we have all experienced that situation where we take off late because the destination airport is exercising control and will not let us take off because they have got too much traffic. We have also been in the air where we circle around and around and around waiting for the ability to land.

American Airlines, just to take one airline, has estimated that, by the year 2014, it expects delays to increase by a factor of 3, or 300 percent, bringing its hub and spoke systems to its knees. Mr. Chairman, this is not just American Airlines. This will be the case more or less to the same extent with all of the other major airlines.

So what are we going to do about it now to avoid a crisis in the future? We are going to let local airports increase the fee they charge on tickets in order to improve their airports. What is the matter with that? That is real local control. It is ridiculous to call this a tax increase, in my humble opinion.

Now, good friends like the gentleman from South Carolina (Mr. GRAHAM) and others feel differently. I respect their reasoning. I just disagree with them. When a local jurisdiction imposes a new fee, I do not call it a Federal tax.

Let me just quote, if I may, now as an illustration of what happens when we increase the fee. It does not mean automatically everybody pays a little more, because there is competition. When we allow these airports to charge those fees, they add new gates. When they add new gates, they get new airlines coming in. When new airlines come in, there is competition, and the price of the ticket drops.

Just consider what happened to take BWI, Baltimore Washington International Airport around here. They used their passenger facility charge to build gates. Southwest Airlines moved into those gates, both in Providence and at BWI, and they commenced service between Providence and BWI.



The Department of Transportation analysis showed that the average one-way fare plummeted from \$181 to \$53, a drop of 71 percent. Passenger traffic for the 3-month period increased by 884 percent. So obviously the public liked it.

Mr. Chairman, a passenger is much better off paying a PFC, a passenger facilities charge, on top of a \$53 fare rather than paying \$181 without a PFC. So in many cases, these PFC charges actually result in a great net reduction in cost to the consumer. The consumer should support this.

For that reason, I oppose the Graham amendment and urge all of my colleagues to support the principle of local control and of competition and of improvement in our airport facilities. Oppose this amendment.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. LIPINSKI), the distinguished ranking member of the Subcommittee on Aviation.

Mr. LIPINSKI. Mr. Chairman, I rise today in strong opposition to the Graham amendment which will strike the provision in AIR21 that allows local airports to increase their passenger facility charge from \$3 to \$6. In 1990, when the PFC was established, the gentleman from Minnesota (Mr. OBERSTAR) and I worked very diligently in its behalf. We were the strongest supporters of the PFC in this House of Representatives. I today am still one of its strongest supporters.

PFCs are a critical local source of funding for airport infrastructure. Unfortunately, PFCs are the only type of local revenue that is capped by the Federal Government. I want to run that by my colleagues once again. Unfortunately, PFCs are the only type of local revenue that is capped by the Federal Government. However, just because the Federal Government sets the cap on PFCs, it does not mean that PFCs are a Federal tax and that an increase in PFCs is a Federal tax increase.

PFCs are not collected by the Federal Government, are not spent by the Federal Government, and are never deposited in the U.S. Treasury. Rather, PFCs are collected locally, spent locally, and fund important local airport projects. Unlike a Federal tax, the PFC is paid only by air passengers who use and benefit from the airport.

PFC revenues allow local airports to fund needed safety, security, capacity, competition, and noise projects that otherwise would have to wait years for Federal AIP funds or may not be eligible for AIP funds. For example, many airports throughout the Nation have used PFC revenues to build shared and common use gates which can be used by any carrier wishing to serve the airport. The additional gates which are not eligible under the AIP program have helped increase the capacity of

the airports as well as help increase competition, which is very, very important today.

Because local airport authorities best know their airport and how it operates, they also know the best way to use scarce aviation funding sources. PFCs are the most often used on projects that provide tangible benefits to passengers using the airport, increasing the comfort and convenience of air travel.

It is important to note that PFCs are not just a free pot of money for local airport authorities. PFCs cannot be collected until a local airport needing funding is identified, and they must expire after a specific project is completed, and it must be planned from beginning to completion.

In addition, PFCs cannot be spent on just any airport project, but only on specific eligible airport development projects approved by the FAA.

□ 1815

Please, I ask my colleagues all to oppose this amendment.

Mr. GRAHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON).

Mr. SAM JOHNSON of Texas. Mr. Chairman, increasing passenger facility charges are, in reality, increased taxes on America's airline passengers. I think it is kind of ludicrous to say they are not just because they are local. They require a Federal approval; therefore, we do control it, and it does go into the national system.

Supporters argue it is just a user fee. We are too fond of using fancy words and arguments to hide our intentions. In Texas, we call it a tax, and that is what it is. Calling this tax a facility charge is like calling airline food dinner.

This tax will just force passengers to pay more for their ticket. And any time the government takes more of our hard-earned money, that is a tax increase. It is regressive, and it will harm those who can least afford it; namely, families and small business people who use airline service to visit relatives and grow their businesses.

We continue to hear the rhetoric about how we must take steps to protect the rights of airline passengers. What better way to start than by not allowing a tax increase and letting Americans keep more of what they earn? This bill is already using up part of the surplus we were going to use for tax relief. I think it is criminal we would deny Americans the tax relief they deserve.

We must not pass another tax on the American consumer. Their burden is already too high. We should be pushing for tax relief, not tax increases.

I urge my colleagues to support the Graham amendment and stop taxing the consumers' paychecks.

Mr. GRAHAM. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Chairman, I rise in strong support of the Graham amendment. In providing both adequate and fair funding for our Nation's aviation infrastructure to carry us into the 21st century, I believe that costs to individual airline passengers must not be increased.

Under current law, local airports are authorized to collect a \$3 per passenger per flight segment charge, with a maximum of \$12 per round trip ticket. This legislation proposes to double this charge to \$6, breaking the current \$12 cap and allowing a maximum of \$24 per round-trip ticket.

According to CBO, this airfare increase will cost American taxpayers, Mr. Chairman, \$475 annually for each \$1 increase in the passenger facility charge. If each airport decides to double their PFC, as AIR 21 proposes, this charge will ultimately cost taxpayers over \$1.4 billion annually.

I believe this cost increase is both unnecessary and unfair to American airline passengers and taxpayers. Further increasing the PFC negatively impacts the growing low-fare airline industry which provides both competition and reasonably priced air transportation.

The passenger facility charge essentially functions as a tax, hitting hardest those who can least afford it, such as families, leisure travelers and those operating small businesses. As we all know, summer is a highly traveled time, when affordable air travel is vital for Americans traveling across the country to visit their family and friends.

The amendment of the gentleman from South Carolina (Mr. GRAHAM) ensures that the current \$3 passenger facility charge will not be doubled to \$6.

Mr. Chairman, let us remember the taxpayers and vote for the Graham amendment.

Mr. OBERSTAR. Mr. Chairman, I yield myself 4½ minutes.

Well, we have heard all the arguments now, or virtually all of them, but the one that keeps coming back is the PFC is a tax, it is a burden on America's airline passengers.

Well, let me just take us all back where we started with all this in 1990: 7½ million hours of delay annually, costing Americans \$14 billion; need for capacity; need for access to the runways of this Nation's airports. And it was the business travelers of America, it was the Airline Passengers Association and the business traveler, now called the Business Traveler Coalition Organization, that came to my ranking member at the time, Mr. Bill Clinger, and John Paul Hammersmith, the ranking Republican on the full committee, and me, and said we need help; we are ready to support an additional charge to supplement the airport improvement program in order to build the capacity we need at the Nation's airports.



Why are the business travelers important? They are only 10 percent of the passengers, but they generate 50 percent of the revenues. And they said it is important to us to build capacity at the Nation's airports and we are ready to support a passenger facility charge. And we included it in that legislation and we passed it.

It is needed for competition. This bill requires that large and medium hubs dominated by one or two airlines have to file a competition plan before they can have their PFC approved or receive an AIP grant. Competition with the PFC has been important for one of the Nation's most progressive low-fare carriers, Southwest Airlines.

At Columbus, Southwest and Delta wound up with gates built with PFCs; Oakland, new terminal gates to be built with PFCs; Ontario, California, two new terminals with PFCs to serve Southwest Airlines; Orlando accommodated Southwest; PFC to build terminal expansion and capacity for Southwest Airlines; Tampa; and others are in the works. Southwest Airlines is one of the prime beneficiaries, as are many other carriers who did not come in and ask for but benefitted from these capacity enhancements.

Safety is critical. No airport under this legislation will be permitted to impose a PFC above \$3 unless they ensure in their plan submitted to the FAA that airside safety needs are being met.

Capacity. Overall, capital development projects take 5 to 7 years to build at airports across this country. They are complex, large projects that need long lead times for design and engineering and they need a guaranteed revenue stream. The PFC provides that guaranteed revenue stream that the airports can use to improve capacity and enhance safety, provide competition, and ensure that America's travelers get to and from their destinations in the time that they require.

And, finally, this is a local initiative. No one directs or requires an airport to impose a PFC. They make that decision on their own. As one after another of my colleagues on the other side of the aisle has said, this is a good conservative issue. Conservatives support it, liberals support it, moderates support it. It passed overwhelmingly. Airports support it, airlines support it, travelers support it; and let this body support it by defeating this amendment and moving America into the 21st century.

Mr. GRAHAM. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Chairman, under current law, the local airports are authorized to collect a \$3 per passenger fee. I represent one of the busy airports in the country, a medium-sized airport, which has not currently charged the fee. I realize our airport is definitely

the economic engine for our community and we rely on it a lot, and it is very important to what happens in growth because we are a fast-growing area. But no matter how we cut it, this is a tax increase.

There is currently a surplus in the aviation trust account, and I just do not think it is right for Congress to be at this point placing an added burden on small businesses and families. We are talking about tax relief and we have been promising that to the American people, and I believe it is pretty hypocritical of us to come back now and implement a \$3 tax increase on each airline ticket that the people in this country purchase.

Mr. Chairman, I just want to state that I will support this worthwhile amendment.

Mr. GRAHAM. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from South Carolina (Mr. GRAHAM) has 8½ minutes remaining; the gentleman from Pennsylvania (Mr. Shuster) has 1½ minutes remaining; and the gentleman from Minnesota (Mr. Oberstar) 1 minute remaining.

Mr. GRAHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. Shadegg).

Mr. SHADEGG. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, right now airline passengers face an 8 percent domestic ticket tax; they face a \$12 international departure and arrival charge; they face paying taxes of 4.3 cents per gallon on domestic jet fuel; and right now they face up to a maximum of a \$3, by the year 2000, domestic per-flight segment fee. This legislation raises that fee.

My colleagues, a tax increase is a tax increase. Fundamentally, this money is reaching into the pockets of the American people and increasing the charge on those who want to fly. Sure, our airports are economic engines and they need funds to operate, but the case that they need these funds has not yet been made. And for many people the ability to take a discounted short flight to go on their vacation is vitally important to them.

Why do we need to double this fee from \$3 to \$6 at this particular point in time? The National Taxpayers Union has written on this point and will score this vote, and they say there is no need for this tax increase. At a time when we should be cutting taxes for the American people, at a time when virtually everyone in this room agrees that the American people are taxed and taxed very heavily, instead of cutting taxes, we are increasing taxes. We are giving the local authorities the ability to raise the fees they already charge passengers.

Is the 8 percent domestic ticket tax not enough? Is the \$12 international de-

parture and arrival charge not enough? Is the 3.4 cent per gallon domestic jet fuel tax not enough? No, the answer is we need to increase it. Right now we will increase it from \$3 to a maximum of \$6 per flight segment. The cumulative rate will go from \$12 per flight to \$24 per flight.

We in Phoenix, Arizona lots of times like to go to San Diego, California for the weekend, and we can do that for \$39. If we pass this and they add on what they might be able to add on, perhaps as much as \$24 or even \$12 for that flight, we will have taken a \$39 ticket and raised it to \$41, \$49, \$51, maybe even more than that.

This is a regressive tax which is not needed. I urge my colleagues to join me and support the GRAHAM amendment.

Mr. GRAHAM. Mr. Chairman, I yield myself such time as I may consume.

As we close out the debate, I think it is appropriate now to go over some of the arguments and talk about what we conservatives believe about this bill in general.

One of the arguments is that local control is better than Washington control. Count me in on that argument. But if my colleagues are going to define local control this way, count me out.

Here is what the opposition is saying. The Congress in 1990 authorized airport groups to be able to tax the consumer, and now we are going to let them double that tax 10 years later. But the only way they can do it is to have a Federal Government agency saying no to them. How many people feel good about that? Is that the type of local control we signed up for when we came to Congress; to authorize a tax at the Federal level, to be implemented at the local level with a Federal agency saying yes or no?

If my colleagues want their fingerprints on this, vote "no." If my colleagues believe taxing people to the tune of \$475 million a year by raising it every dollar should be on their watch and they do not care if their fingerprints are on it, vote "yes." But that is not local control. That is bastardizing the concept of local control.

This is not a fiscally sound measure. Taking the trust fund off budget is the right thing to do, I say to the gentleman from Pennsylvania (Mr. Shuster). On that he is absolutely right. But to accomplish that good goal, we blow a hole in the budget caps and we spend \$21 billion over the next 4 years that has to come from somebody else's pocket, either from the tax cuts or some other part of the government. We conservatives should stick to the budget numbers. And if we want to fix one bad part of the government, we should not create two other bad things in its wake. That is how we wake up with \$5.4 trillion of debt.

It is a good thing to take it off budget; it is a bad thing to overspend in this

area of the government to the tune of \$21 billion. And a lousy thing to do in the name of being a conservative is tax people with a new way of taxing them; call it local when it is not and add a \$3 tax when they are not administering the tax they created in 1990 in a correct fashion.

And does it affect people? Seventy-five percent of the people that get on airplanes have this tax hit them.

□ 1830

Four hundred and seventy-five million dollars for every dollar they increase. I do not know what Washington is about any longer in terms of conservative and liberal. But I know this, that they are paying taxes, that the American public, no matter what we call it, whether we call it a trust fund, whether we call it general revenue, it comes out of their pocket. That is the one thing in common.

There is one group of people sending us all this money, and we think of a million ways to spend more of it and distance ourselves from it. We busted the budget. We have emptied the trust fund. And we are going to tax people \$1.4 billion and say it is somebody else's problem. Stop that.

This bill is excessive enough. Do some good for those people working real hard out there and who cannot stand to have any more money taken out of their pocket, and stop bastardizing concepts in the name of doing good.

Mr. OBERSTAR. Mr. Chairman, how much time remains on this side?

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) has 1 minute remaining. The gentleman from Pennsylvania (Mr. SHUSTER) has 1½ minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield myself the remaining one minute.

Mr. Chairman, let us get this straight. No airport is required to impose a passenger facility charge. Before a passenger facility charge can be imposed by an airport, it must file a plan. That plan must, under this bill, include provisions for the safety, competition, and show how it is going to enhance capacity. That is what the passenger facility charge was intended for in the first place.

Of the Nation's 531 primary airports, 161 of them in the last 9 years have chosen not to impose a passenger facility charge. No one is required. It is a local decision.

Do my colleagues want their airport to be able to compete in the Nation's airspace? Do my colleagues want their business people to be able to compete in the market in which they are operating? Do they want their passengers to be able to have access to the airport?

If the decision is yes, then they put the PFC in and they do the things that the passengers need and they make it a

public policy process. That is what this is all about.

It could not be fairer. It could not be better. It could not for better for America for now and for into the 21st century. Vote down this amendment.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I strongly oppose this amendment. A couple of the comments that have recently been made, I am sure inadvertently, factually are not accurate.

For example, this does not bust the budget. The funds are taken from the \$788 billion tax cut. Indeed, CBO scores this as a \$14.3 billion increase, all of which comes from the aviation ticket tax. But that was another debate that has already taken place, and the House has spoken overwhelmingly in support of our legislation in that regard.

This indeed is a local tax. The gentleman from Minnesota (Mr. OBERSTAR) has quite accurately described it. And it is limited, limited to safety, capacity, noise, and security.

The gentleman from California (Mr. DOOLITTLE) made an excellent point when he reminded us that PFCs enable us to build more gates at airports, and more gates mean more competition. And indeed, most significantly, where we have more competition, we see the price go down.

The example he used, of course, was the Baltimore flight, where close to \$100 is saved. So a \$3 PFC is really minuscule by comparison. And most importantly perhaps, this is not only a local decision, but it is a decision where many airports have chosen not to impose PFCs which they are able to impose today should they choose to do so.

Indeed, along with over a hundred airports that the gentleman from Minnesota (Mr. OBERSTAR) mentioned that do not have passenger facility charges, 46 of our hubs today do not have PFCs.

So let us let the local people make the decision so they can do what is best for their economy and their community. Vote down this amendment.

Mr. BARCIA. Mr. Chairman, I rise in opposition to this amendment because I strongly believe that the funds collected to improve our airline industry should be dedicated for their intended purpose. The legislation will ensure that future aviation taxes will be dedicated to promptly fund the capital needs of our aviation system and to provide a safe travel environment for the American people.

I believe the issue is very simple. Money collected for air improvements should be used for that purpose as they become available. We all have needs in our district. Bishop airport in Flint needs new radar, Harry Browne in Saginaw needs an instrument landing system and Wurtsmith's runway needs massive improvements. Why should these projects wait if the dollars are available?

We have all had frustrating experiences with air travel, whether it be delays for mechanical reasons or the plane is over-booked. It is because more people are using air transportation

than ever before and we have been unable to keep up with consumer demands on the airline industry. This has resulted in congestion problems, flight delays and problems with air traffic control systems. It is important for the general public's safety that we support every effort to make our airports and airplanes as reliable, secure and as safe as possible. AIR-21 is a comprehensive and common-sense approach that will lead to safer travel for the flying public.

AIR-21 will provide support to airports to modernize their systems and will provide long term investments by increasing funding for the Airport Improvement Program for upkeep with the runways and other capital investments. This legislation also increases support for smaller airports who often have limited resources to keep up with technology.

By taking the trust funds off budget, we will be able to dedicate more funds to increase the safety and security of the traveling public—our constituents. I urge my colleagues to oppose this amendment and support final passage of this important bill.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from South Carolina (Mr. GRAHAM).

The question was taken; and the Chairman announced that the yeas appeared to have it.

#### RECORDED VOTE

Mr. GRAHAM. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 245, not voting 6, as follows:

[Roll No. 208]

#### AYES—183

Aderholt	Doggett	Jackson (IL)
Andrews	Edwards	Johnson, Sam
Archer	Emerson	Jones (NC)
Armey	Etheridge	Kasich
Ballenger	Everett	Kind (WI)
Bartlett	Fletcher	King (NY)
Barton	Foley	Kingston
Bentsen	Ford	Knollenberg
Biggert	Fossella	Kolbe
Bliley	Franks (NJ)	Kuykendall
Blunt	Frelinghuysen	Largent
Boehner	Galleghy	LaTourette
Bono	Gibbons	Lazio
Brady (TX)	Gilman	Levin
Bryant	Goode	Lewis (KY)
Burr	Goodlatte	Linder
Burton	Goss	LoBiondo
Calvert	Graham	Lucas (KY)
Camp	Greenwood	Lucas (OK)
Cannon	Gutknecht	Maloney (CT)
Capuano	Hall (OH)	McCollum
Cardin	Hall (TX)	McCrery
Castle	Hansen	McInnis
Chabot	Hayes	McIntosh
Chambliss	Hayworth	McIntyre
Coble	Hefley	McKeon
Coburn	Herger	Miller (FL)
Collins	Hill (IN)	Miller, Gary
Combest	Hill (MT)	Mink
Condit	Hobson	Moore
Cook	Hoeffel	Morella
Cox	Holt	Myrick
Crane	Hoyer	Nethercutt
Cunningham	Hulshof	Northup
Danner	Hutchinson	Norwood
Deal	Hyde	Nussle
DeLay	Inslee	Obey
DeMint	Istook	Ose

Packard	Sanford	Talent
Pallone	Scarborough	Tancredo
Pascarell	Schaffer	Taylor (MS)
Paul	Sensenbrenner	Taylor (NC)
Pickering	Sessions	Terry
Pickett	Shadegg	Thomas
Pitts	Shinkus	Thornberry
Portman	Shows	Thune
Price (NC)	Simpson	Tiahrt
Ramstad	Sisisky	Toomey
Regula	Skeen	Turner
Reynolds	Skelton	Wamp
Riley	Smith (MI)	Waters
Roemer	Smith (TX)	Watkins
Rogan	Smith (WA)	Watts (OK)
Rohrabacher	Souder	Weldon (PA)
Rothman	Spence	Weller
Roukema	Spratt	Wexler
Royce	Stearns	Whitfield
Ryan (WI)	Stenholm	Wilson
Ryun (KS)	Strickland	Wolf
Salmon	Stump	Wu
Sanchez	Sununu	Young (FL)

## NOES—245

Abercrombie	Duncan	Maloney (NY)
Ackerman	Dunn	Manzullo
Allen	Ehlers	Markley
Bachus	Ehrlich	Martinez
Baird	Engel	Mascara
Baker	English	Matsui
Baldacci	Eshoo	McCarthy (MO)
Baldwin	Evans	McCarthy (NY)
Barcia	Ewing	McDermott
Barr	Farr	McGovern
Barrett (NE)	Fattah	McHugh
Barrett (WI)	Filner	McKinney
Bass	Forbes	McNulty
Bateman	Fowler	Meehan
Becerra	Frank (MA)	Meek (FL)
Bereuter	Frost	Meeks (NY)
Berkley	Ganske	Menendez
Berman	Gejdenson	Metcalfe
Berry	Gekas	Mica
Billbray	Gephardt	Millender-
Bilirakis	Gilchrest	McDonald
Bishop	Gillmor	Miller, George
Blagojevich	Gonzalez	Minge
Blumenauer	Goodling	Moakley
Boehrlert	Granger	Mollohan
Bonilla	Green (TX)	Moran (KS)
Bonior	Green (WI)	Moran (VA)
Borski	Gutierrez	Murtha
Boswell	Hastings (FL)	Nadler
Boucher	Hastings (WA)	Napolitano
Boyd	Hilleary	Neal
Brady (PA)	Hilliard	Ney
Brown (FL)	Hinches	Oberstar
Brown (OH)	Hinojosa	Oliver
Buyer	Hoekstra	Ortiz
Callahan	Holden	Owens
Campbell	Hooley	Oxley
Canady	Horn	Pastor
Capps	Hunter	Payne
Carson	Isakson	Pease
Chenoweth	Jackson-Lee	Pelosi
Clay	(TX)	Peterson (MN)
Clayton	Jefferson	Peterson (PA)
Clement	Jenkins	Petri
Clyburn	John	Phelps
Conyers	Johnson (CT)	Pombo
Cooksey	Johnson, E.B.	Pomeroy
Costello	Jones (OH)	Porter
Coyne	Kanjorski	Quinn
Cramer	Kaptur	Radanovich
Crowley	Kelly	Rahall
Cubin	Kennedy	Rangel
Cummings	Kildee	Reyes
Davis (FL)	Kilpatrick	Rivers
Davis (IL)	Kleczka	Rodriguez
Davis (VA)	Klink	Rogers
DeFazio	Kucinich	Ros-Lehtinen
DeGette	LaFalce	Royal-Allard
Delahunt	LaHood	Rush
DeLauro	Lampson	Sabo
Deutsch	Lantos	Sanders
Diaz-Balart	Larson	Sandlin
Dickey	Latham	Sawyer
Dicks	Leach	Saxton
Dingell	Lee	Schakowsky
Dixon	Lewis (CA)	Scott
Dooley	Lipinski	Serrano
Doolittle	Lofgren	Shaw
Doyle	Lowey	Shays
Dreier	Luther	Sherman

Sherwood	Thompson (MS)	Walsh
Shuster	Thurman	Watt (NC)
Slaughter	Tierney	Waxman
Smith (NJ)	Towns	Weiner
Snyder	Trafficant	Weldon (FL)
Stabenow	Udall (CO)	Weygand
Stark	Udall (NM)	Wicker
Stupak	Upton	Wise
Sweeney	Velázquez	Woolsey
Tanner	Vento	Wynn
Tauscher	Visclosky	Young (AK)
Tauzin	Vitter	
Thompson (CA)	Walden	

## NOT VOTING—6

Brown (CA)	Hostettler	Lewis (GA)
Gordon	Houghton	Pryce (OH)

## □ 1857

Mr. CLAY, Mr. BALDACCI, Mrs. MCCARTHY of New York and Ms. CARSON changed their vote from "aye" to "no."

Mr. MOORE, Mrs. WILSON and Messrs. TERRY, ROEMER, CONDIT, BRYANT, FLETCHER, HUTCHINSON and LOBIONDO changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider Amendment No. 5 printed in Part B of House Report 106-185.

## AMENDMENT NO. 5 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 5 offered by Mr. ANDREWS:

In section 126 of the bill—

(1) insert "(a) STATE BLOCK GRANT PROGRAM AND FISCAL YEAR 2000.—" before "Section 47109(a)"; and

(2) insert at the end the following:

(b) AIRPORTS SUBJECT TO EMERGENCY RESPONSE AGREEMENTS.—Section 47109 is amended—

(1) in subsection (a) by striking "subsection (b)" and inserting "subsections (b) and (d)"; and

(2) by adding at the end the following:

"(d) AIRPORTS SUBJECT TO EMERGENCY RESPONSE AGREEMENTS.—If the sponsor of an airport and the Federal Emergency Management Agency or a State or local government entity, that has jurisdiction over emergency responses at the airport or in an area that includes the airport, enter into an agreement that makes the airport subject to the control of such Agency or entity during an emergency for the conduct of emergency response activities by such Agency or entity and such sponsor submits to the Secretary of Transportation a copy of such agreement, the United States Government share of allowable project costs incurred for a project at the airport while the agreement is in effect shall be 100 percent."

The CHAIRMAN. Pursuant to House Resolution 206, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. ANDREWS).

## □ 1900

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this summer and throughout the year around our country, we will unfortunately be faced with many natural disasters: forest fires, floods, other significant storms that deal a great blow to local communities. One of the key aspects of our disaster relief and disaster prevention effort is the use of airplanes in an emergency situation. Whether it is to put out fires or to airlift supplies and materiel, the use of our aircraft in a time of emergency is an essential ingredient towards solving a problem. Equally essential is the use of small airports and airfields around our country.

For example, in my area of New Jersey, there is a small airport that often serves as a point of departure for airplanes that fight forest fires in the New Jersey pinelands. It is very important that these airports remain a part of our national air system, whether it is for emergency relief or whether it is for business or personal travel.

Many of these airports are very challenged when they apply under the Airport Improvement Program because of the local match requirement. Some of the airports are run by public and municipal authorities that have a hard time raising the matching funds; others are privately owned, usually small business people, also finding it difficult to struggle to meet the matching funds.

The idea behind my amendment is that the real measurable and tangible economic value of that disaster relief be credited toward the local matched portion of the AIP grant. In other words, a small airport that is instrumental in our efforts to prevent or provide relief from disaster would be credited on a dollar-for-dollar basis for the value of the emergency service that that airport is rendering, the lost income that that airport is rendering, as a matching requirement for the AIP grant.

Mr. Chairman, I believe that this proposal makes sense from the point of view of emergency disaster relief. It is a fair measure economically for small airports, and I believe it would serve our Nation's air traffic system in a common-sense way.

I have been privileged to discuss this matter with the chairman of the committee and members of the staff, and I understand that he has expressed an interest in working with us to try to facilitate these concerns.

Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Committee on Transportation.

Mr. SHUSTER. Mr. Chairman, I would concur with the gentleman. It would be my hope that we could work

this out, and on that basis I understand the gentleman is prepared to withdraw the amendment, and we will see what we can do; we will certainly try to work something out.

Mr. ANDREWS. Mr. Chairman, reclaiming my time, I thank the chairman and ranking minority Member for their willingness to work out a solution to this problem.

Mr. OBERSTAR. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New Jersey.

This amendment would substantially undermine a basic concept of our airport program: that an airport receiving a federal grant should provide a local matching share of from 10 to 25 percent to demonstrate local commitment to and support of a project.

Under the amendment, any airport could escape the requirement for the local share by signing an agreement with the Federal Emergency Management Agency or a local emergency service, such as a fire department, giving that federal or local entity control over the airport in case of an emergency. We have no information available on how many airports already have these agreements. Nor do we have any indication that any response unit feels that these incentives are necessary to encourage airports to cooperate with them.

I am concerned that under this amendment large numbers of airports would enter into agreements with emergency response units to gain a waiver of the requirement of a local match for AIP grants. In the absence of a strong showing that this incentive is needed to ensure the protection of human life and safety, I do not think we should undermine the requirement for a local match for AIP funds.

I urge Members to oppose the amendment.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. It is now in order to consider Amendment No. 6 printed in part B of House Report 106-185.

AMENDMENT NO. 6 OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 6 offered by Mr. MORAN of Virginia:

At the end of section 201 of the bill, insert the following:

(C) MITIGATION PROGRAMS.—

(1) IN GENERAL.—Before the Secretary of Transportation may take any action under subsections (e), (f), and (j) of section 41714 of title 49, United States Code (as amended by subsections (a) and (b) of this section), that would result in additional flights to or from a high density airport (as defined in section 41714(h) of such title), the airport operator must submit to the Secretary, and the Secretary must approve, a program for mitigating aviation noise in areas surrounding the airport that would otherwise result from the additional flights.

(2) CONSULTATION AND PUBLIC NOTICE.—An operator may submit a program to the Secretary under paragraph (1) only after—

(A) consulting with public agencies and planning authorities in the area surrounding the airport, United States Government officials having local responsibility for the airport, and air carriers using the airport; and

(B) providing notice and an opportunity for a public hearing.

(3) CONTENTS.—A program submitted under paragraph (1) shall state the measures the operator has taken or proposes to take to mitigate aviation noise described in paragraph (1).

(4) APPROVALS.—

(A) IN GENERAL.—The Secretary shall approve or disapprove a program submitted under paragraph (1) not later than 180 days after receiving the program. The Secretary shall approve a program that—

(i) has been developed in accordance with the requirements of this subsection; and

(ii) provides satisfactory mitigation of aviation noise described in paragraph (1).

(B) DEADLINE.—A program is deemed to be approved if the Secretary does not act within the 180-day period.

(C) FLIGHT PROCEDURES.—The Secretary shall submit any part of a program related to flight procedures to control the operation of aircraft to the Administrator of the Federal Aviation Administration. The Administrator shall approve or disapprove that part of the program.

(5) AIRPORT NOISE OR ACCESS RESTRICTIONS.—Notwithstanding section 47524 or any other provision of law, the Secretary may approve, and an airport operator may implement, as part of a program submitted under paragraph (1) airport noise or access restrictions on the operation of any aircraft that was not originally constructed as a stage 3 aircraft.

The CHAIRMAN. Pursuant to House Resolution 206, the gentleman from Virginia (Mr. MORAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I offer this amendment to help address one of the most contentious issues in this bill, as it affects four large metropolitan airports. For more than two decades, National, JFK, LaGuardia, and O'Hare Airports have operated with a slot reservation system. It was developed for safety reasons, to limit the number of airplanes serving these congested airports.

According to the Department of Transportation, this system is no longer necessary. The technology now in use in our air traffic control system can permit more flights at these four airports without compromising safety, apparently. Earlier this year, the Department of Transportation announced its support of a repeal of the slot reservation system.

Some may question that call to repeal the system. I do not believe, though, that adequate consideration was given to the local communities that will be inundated with increased noise as a result of more flights. These communities and the local governments that represent them have made long-term decisions on the assumption

that the total number of flights would remain fixed. Congress, in fact, placed in statute the total number of flights per hour at National Airport in return for transferring the day-to-day operations to a local, regional authority that was capable of raising capital to undertake the major improvements that we have seen at National and Dulles International Airport. The local authority, the Washington Metropolitan Airport Authority and the citizens kept their part of the bargain.

If a majority of Congress is now inclined to mandate more flights at National and the other three slot-controlled airports, I think it is only fair that the local citizens should have a right to work with the airport operators on finding ways to offset the increased noise that these additional flights will inevitably bring.

So in fairness to these communities, any increase in service should be premised on providing the communities adjacent to the airports with an opportunity to revise existing noise abatement programs. The amendment that the gentlewoman from Maryland (Mrs. MORELLA) and the gentlewoman from the District of Columbia (Ms. NORTON) and I are offering would condition new air service at these four airports on the Secretary's approval of a new airport noise reduction program that would include local public input. As part of the noise reduction program, the local airport operators can include restrictions on the use of aircraft originally built for Stage 2 compliance.

The amendment also addresses a growing concern about this potential loophole that can be exploited by some airlines to permit older, noisier Stage 2 commercial aircraft to remain in service beyond the December 31, 1999 deadline for Stage 3 compliance.

Few are aware that FAA regulations on Stage 3 compliance allow older commercial aircraft to meet those requirements simply by modifying their operational manual and reducing the plane's fuel load. Operating with a reduced weight and fuel load, these carriers can recertify old Stage 2 airplanes to meet the upper noise level range permitted under Stage 3 requirements. Thus, these older, noisier Stage 2 planes can remain in commercial use at an airport with predominantly short-haul traffic like LaGuardia and National that serve smaller communities within a defined perimeter or provide frequent short-distance shuttles to major, larger cities. As a result, these airports could receive a disproportionate share of older Stage 2 airplanes, causing a major increase in aircraft noise.

Mr. Chairman, it is not the intent of the Airport Noise and Capacity Act of 1990, which mandated this Stage 3 compliance, to allow older Stage 2 aircraft with no engine modifications to continue to use our Nation's commercial

airports. We need to fix this problem, and the first place to start is at those airports that can anticipate a significant increase in noise and flights.

I think this is a reasonable amendment. I think that it finds a middle ground, and I would urge support for it.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in strong opposition to this amendment, and I ask unanimous consent that the ranking member of our committee, the gentleman from Minnesota (Mr. OBERSTAR), control one-half of our time, or 2½ minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) will control 2½ minutes.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

I am a bit surprised. I thought we had worked with the gentleman from Virginia to limit the number of flights at Reagan National Airport. But if we did not have an agreement there, then I accept that, and we will have to proceed accordingly.

This is a bad amendment. It is a bad amendment particularly because it would allow local airports to prohibit aircraft with hush kits, while at the very same time the U.S. Government was in a trade dispute with the Europeans over this issue. Our government argued that the Europeans had no right to ban hush-kitted aircraft, and many of these aircraft are just as quiet as Stage 3 aircraft. The airlines spent millions on hush kits with the promise that they would be able to use them. This amendment would break that promise. Indeed, this House weighed in on this trade dispute, and we passed legislation earlier this year to ban the Concorde from flying here if the Europeans banned our hush-kitted aircraft.

So it would be ironic, if not hypocritical, for us to now ban hush-kitted aircraft in our own country after the position that we have taken with the Europeans.

Mr. Chairman, I oppose this amendment, and I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment rolls back the clock on noise abatement. In 1990, this was a major issue: noise at America's airports. As chair of the Subcommittee on Aviation, I held 50 hours of hearings on this subject, along with my good friend and former Member Bill Clinger. In the end, in the legislation of that year, we crafted a requirement that all Stage 2 aircraft, 2,340 in the Nation's fleet at that time, would, by the end of this year, comply with Stage 3 requirements. We are there. By the end of this year, all air-

craft in the domestic fleet will meet that requirement. This amendment deals not with whether aircraft meet that requirement, but how they meet that requirement.

The point is that all aircraft will meet Stage 3 requirements by the end of this year. That should be sufficient. That was the standard. That was set so that we would not have each individual airport a patchwork quilt of regulations all across America; one aircraft could fly into this airport, but not into another one. That is nonsense. That is chaos.

The reason we put on a standard is that we would have all airports on the same ground. However, National Airport has a stricter requirement on its curfew. Mr. Chairman, a 757 with a Pratt & Whitney JT8D cannot land at National Airport after 10 o'clock. They have to go to Dulles. How much more does the gentleman want to do? How much more chaos do we want to put in the aviation system? When there is a storm in the Midwest and aircraft are coming in, do we inconvenience passengers because this one aircraft with that engine does not meet this airport's stringent requirements? If we do this all across America, we will again be Balkanized in our aviation system.

The point of Stage 3 was to set the standard: 288.3 decibels. Hush-kitted aircraft meet that standard. Reengineered aircraft meet that standard. It is good enough for all of America, and it ought to be good for this airport as well.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I reserve the right to close.

Mr. MORAN of Virginia. Mr. Chairman, I yield the balance of my time to the gentlewoman from Maryland (Mrs. MORELLA).

The CHAIRMAN. The gentlewoman from Maryland (Mrs. MORELLA) is recognized for 30 seconds.

Mr. MORAN of Virginia. Mr. Chairman, I ask unanimous consent to give the gentlewoman from Maryland (Mrs. MORELLA) 1 additional minute.

The CHAIRMAN. The Chair can only recognize a unanimous consent request that would extend time equally for both sides.

Mr. SHUSTER. Mr. Chairman, it is my understanding that the time is equally divided, so if the gentleman is asking for 1 minute to be evenly divided so that the gentlewoman gets 30 seconds, plus another 30 seconds on our side, that is fine with me.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me this time, and I thank him for this amendment, which I have also cosponsored with the gentlewoman from the

District of Columbia (Ms. NORTON). Actually, it conditions new service at Reagan National, Kennedy, LaGuardia, and O'Hare Airports on approval of an airport noise program, developed with local input, by the Department of Transportation. The policies that are responsive to local concerns will help the aviation industry remain a good neighbor to the community it serves.

I have to tell my colleagues, there is an awful lot of noise that impacts on our community. It is a growing problem, and we have had many people who have discussed with us the fact that they cannot even entertain on their patios; cannot even do anything but lock themselves into their homes with the increasing noise.

Unlike oil spills or landfills, noise is an invisible pollutant, but the hazards are just as real. It causes stress, much the same as a traffic jam or the threat of a recession. According to experts, noise causes hearing loss, impaired health, and antisocial behavior.

□ 1915

I believe that the people of Maryland, Virginia, and the District of Columbia must have a voice in the ultimate determination of airport noise regulations. After all, these are the people whose lives will be affected for better or for worse by whatever rules are enacted.

The Federal Government should not be in the business of operating airports. The Federal Government has plenty of clout over airports through the airport trust fund and its ability to overturn local decisions.

The Moran Amendment would effectively address the concerns of the communities surrounding the high-density airports, and at the same time address the safety and economic concerns of the airport transportation system. So I urge a yes on the Moran Amendment.

Mr. SHUSTER. Mr. Chairman, I yield the balance of my time to the gentleman from Tennessee (Mr. DUNCAN), a distinguished member of our subcommittee.

The CHAIRMAN. The gentleman from Tennessee (Mr. DUNCAN) is recognized for 1½ minutes.

Mr. DUNCAN. Mr. Chairman, let me simply say this, Air 21 already provides the largest ever increase in noise mitigation measures and funding. However, this amendment goes too far, and would end up eliminating service to and from many cities, and ultimately would drive up the cost of air fares all over the Nation.

Hush-kitted aircraft already meet the very strict FAA stage 3 requirements. Hush-kitted aircraft are just as quiet as any aircraft currently available. These hush kit measures have been approved by the FAA as acceptable means to meet the quieter, more restrictive stage 3 requirements.

Hush kits are manufactured in the U.S., and hush-kitted aircraft are

mainly U.S. aircraft. Restricting their operation for noise operations would be at odds with the FAA's finding that this technology satisfies the very highest noise requirements. It would also adversely affect U.S. manufacturers of hush kits and the value of U.S. hush-kitted planes.

Finally, in February the House passed H.R. 661, threatening sanctions against the European Union if it implemented restrictive noise measures that would adversely affect hush-kitted aircraft. It would be totally inconsistent, Mr. Chairman, for this House to threaten the Europeans if they did this, and then come in and do it ourselves for some of our domestic flights.

This measure proposed by the gentleman from Virginia (Mr. MORAN) is at odds with the spirit of H.R. 61, and would adversely affect U.S. manufacturers of hush kits and hush-kitted aircraft.

I urge defeat of this amendment.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. PORTER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 206, further proceedings on the amendment offered by the gentleman from Virginia (Mr. MORAN) will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider amendment No. 7 printed in Part B of House Report 106-185.

AMENDMENT NO. 7 OFFERED BY MR. HYDE

Mr. HYDE. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 7 printed in House Report 106-185 offered by Mr. Hyde:

Strike section 201 of the bill.

Redesignate subsequent sections of the bill, and conform the table of contents of the bill, accordingly.

The CHAIRMAN. Pursuant to House Resolution 206, the gentleman from Illinois (Mr. HYDE) and a Member opposed each will control 20 minutes, the Chair believes. The Chair is trying to determine right now what the designated time under the rule is.

If the chairman of the committee will bear with the Chair, he will have that information momentarily.

Mr. SHUSTER. I believe the gentleman from Illinois has 40 minutes under the rule, Mr. Chairman.

The CHAIRMAN. The Parliamentarian is at this time just verifying that.

Mr. HYDE. Mr. Chairman, I ask unanimous consent that we have 20 minutes on one side and 20 on the other, if that solves the problem.

Mr. SHUSTER. If the gentleman makes that unanimous consent request, I agree with it.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The proponent and an opponent will each be recognized to control 20 minutes which the Chair is advised is consistent with the rule as submitted for printing.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment strikes section 201 of the bill and maintains current law with respect to the high-density rule. Section 201, as amended by the manager's amendment, eliminates the high-density rule for three of the four slot-controlled airports, O'Hare, LaGuardia, and JFK in New York, and modifies it for the fourth, Reagan National.

Although the manager's amendment makes that elimination somewhat slower than was contemplated under the reported bill, the bottom line is that new flights start coming right away.

Let me give some background about why I feel so strongly about this issue. Mr. Chairman, in 1968, the Federal Aviation Administration promulgated the high-density rule, or the slot rule. This was done to manage demand so that delays did not rise above unacceptable levels. That system worked well for 25 years.

In response to demands to lift the rule, Congress in 1994 required the U.S. Department of Transportation to conduct a detailed study to determine whether there was additional capacity at the high-density rule airports and whether the high-density rule should be lifted.

In May 1995, the Department of Transportation published its report in four volumes. One month later, the Department announced that based on this study, it would not change the slot limits at O'Hare or any other high-density-rule airport. This exhaustive study was released just 5 years ago. If anything has changed since then, it is that the air traffic situation at these airports has gotten worse.

Why does this matter to us? Many like to view the high-density rule as a parochial issue of importance only to Chicago, New York, and Washington. This is wildly inaccurate. The high-density rule is a safety issue and a national issue, particularly at O'Hare.

According to the FAA study I just mentioned, O'Hare's maximum safe level is 155 operations per hour. O'Hare is already operating above that level

without adding one more flight. Let me repeat, O'Hare is operating above its maximum safe level today without adding one more flight. Even under the changes made by the manager's amendment, we will start adding more flights right away; as I calculated, 80 new more flights a day.

I appreciate the efforts of the gentleman from Pennsylvania (Mr. SHUSTER) in the manager's amendment to ease the pain of this change, but I cannot in good conscience support one more flight into O'Hare. By eliminating the high-density rule, by adding one more flight to O'Hare, much less 80 a day, we are courting disaster. We are shortening the odds that a crash will occur sooner or later.

But this amendment is important to Members for another reason. Eliminating the high-density rule will cause traffic backups at O'Hare. In 1995, in the study, the Department found that eliminating the high-density rule would more than double, do Members hear me, double delays for all travelers using O'Hare. Traffic backups at O'Hare invariably cause ripple effects throughout the entire air traffic system.

If Members want to spend more time sitting on airplanes stuck on the tarmac, then by all means, oppose my amendment. If Members want the air traffic system to work better and faster and safer, then they should vote for my amendment.

I have tried to talk about why this amendment is important to those who do not represent Chicago, New York, or Washington. Let me talk for a moment about the impact on my constituents.

As I have already made clear, my district is the home of O'Hare airport, one of the busiest airports in the world. I am pleased to have O'Hare in my district. It creates numerous jobs, and by facilitating commerce, it build greater wealth for all of us.

However, it also creates a substantial burden on those who live around it, all of whom are my constituents. As policymakers, we must balance the benefits against the burden. It is in that spirit I am offering this amendment.

No one wants to live in a cloud of jet exhaust fumes. The FAA and the EPA do regulate the emissions from individual aircraft, but no one takes care of the problem of accumulating emissions around O'Hare. This is already severe. O'Hare is one of the three top toxic pollutant emitters in Illinois. It emits benzene, formaldehyde, and carcinogenic polynuclear aromatic hydrocarbons. Pardon me if I resist dumping more of these pollutants into my constituents' neighborhoods, and pardon them if they do not want their children around these materials.

Eliminating the high-density rule brings more flights and more pollution. These are not the only pollutants from O'Hare. The same is true for noise.



Many airplanes are still loud. They are getting better, but they are still loud. If you live around an airport, you suffer. If you live around O'Hare, you suffer severely. Eliminating the high-density rule means more flights, more noise, and more rattling windows for my constituents. I think they deserve better, so I urge Members' support for this amendment.

Some have asked, why can I not simply accept the changes to the high-density rule embodied in the manager's amendment. Let me explain, again, I appreciate the efforts of the gentleman from Pennsylvania (Chairman SHUSTER). He has a big bill and he has to balance a lot of interests. He does a remarkably good job in balancing those interests.

However, my loyalty is to my constituents and I must put their interests first. I have already set out the reasons why they cannot accept one more slot. Even under the changes made in the manager's amendment, there will be a limited number of new slots for flights to underserved cities and new entrant carriers immediately.

Even under these changes, there will be an unlimited number of new slots on March 1, 2000, for regional jet aircraft. Even under those changes, there will be an unlimited number of new slots for all aircraft in the late afternoon and early evening on March 1, 2001. Even with the changes, there will be an unlimited number of new slots for all aircraft at all times on March 1, 2002. That is simply more than we ought to bear.

Mr. Chairman, it is not very often I come to the floor and tell my colleagues that I hope I am wrong. Today I have that sad duty. I hope that I am wrong and there will not be an airline disaster at O'Hare. I hope that I am wrong and there will not be delays. I hope that I am wrong and there will not be more pollution and more noise in my district.

Unfortunately, I fear that I am right. For that reason, I urge Members to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent that the ranking member of our committee, the gentleman from Minnesota (Mr. OBERSTAR) control one-half of the time, or 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to this amendment from my good friend, the gentleman from Illinois (Mr. HYDE). The reason I must rise in opposition to this amendment from my very good friend is because slots are an anachronism. They were first imposed

in 1969 because air traffic control at that time could not handle increased traffic.

Since then, the FAA has developed a flow system that meters the air traffic so controllers can handle it. This system is being further improved. At other busy airports around the country, Atlanta, Dallas, L.A., Boston, Newark, there are no slot controls. Some of these airports are busier and more congested and just as landlocked as slot-controlled airports.

There is no reason to continue slot controls. This bill phases out the slot rules in a timely and orderly fashion. In Chicago, slots are not eliminated until 2002. In New York, 2007, except for new regional jet service.

There is no safety reason to keep the slot controls, and from the very same report that my good friend quoted from, let me quote from page 3: "Changing the high-density rule will not affect air safety. Let me say it again, changing the high-density rule will not affect air safety." So it is not a safety issue any longer.

The FAA administrator testified earlier this year, and of course the report that my good friend and I both have referred to is 4 years old, but the FAA administrator testified earlier this year that there is no safety reason for slot rules. The slot rules restrict competition and result in higher air fares by keeping out new airlines.

I totally respect my friend's position in looking at it from a local perspective for his constituents. We have to look at this from a national perspective, and from the concern and the interest of air passengers all across America.

□ 1930

The slot rules hurt small and mid-sized communities in the East and the Midwest by blocking their access to Chicago and New York.

The 1993 Presidential Commission recommended the elimination of the slot rules. In a March 1999 report, this year, not 4 years ago but this year, GAO found that the slot rules restrict competition and result in higher airfares, and all the new service allowed by the elimination of slot rules will have to be provided by the quiet stage 3 aircraft.

Indeed, stage 3 aircraft is much more quiet. One stage 2 DC-10 makes as much noise as 9 new Boeing 777s. In fact, in 1975 there were 7 million people who were exposed to 65 decibels or higher.

In 1995, that figure is down to 1.7 million, and by 2000 that figure will be down to 600,000. So very, very substantial improvements are being made in noise reduction. Indeed in Air 21, we have \$612 million for noise reduction as opposed to \$246 million which was in the previous bill. So we are very mindful of the issue of noise, very mindful

of the issue of safety and very mindful of the issue of the high costs which are imposed when one limits access to airports such as O'Hare and other airports.

We need more competition. One of the ways to do it is by lifting the slot rules which were imposed 30 years ago in a different time. It is not realistic to expect the air traffic system to be frozen indefinitely in the face of the rising demand, especially when new service can be accommodated safely.

For all of these reasons, I must with reluctance, out of respect for my dear friend, but nevertheless vigorously, oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just say to my dear friend from Pennsylvania (Mr. SHUSTER) that opposing a third airport is the way to stifle competition. God forbid we should have a third airport and open up more slots and more gates and invite other airlines in. American and United would not like that. So to say that my amendment hampers competition, no, my amendment is designed ultimately to get to a third airport which Chicago is going to have, whether we stand in the way or not, it has to have, but that is the way to eliminate competition.

Now, anybody who says air density has no connection with safety never looks out the window as the plane is circling in bad weather. Believe me, the more flights that fill the air, if one does not think that creates a safety problem then I do not know what pilots they are talking to. O'Hare has 900,000 flights a year. It is the busiest airport in the United States, and to make it more busy may satisfy the balance sheet but I do not think it answers the human equation.

Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Chicago, Mr. JACKSON.

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on the Judiciary, for yielding me the time.

Mr. Chairman, I rise in strong support of the Hyde-Morella amendment to address the high-density rule at hub airports that are essentially at capacity.

It does not take a rocket scientist to understand the nature of the problem here, I would say to the ranking member and to the chairman; not a rocket scientist at all. There are 875,000 take-offs and landings at the busiest airport in the world, 875,000 per year; at Midway Airport in the city of Chicago, 175,000 take-offs and landings every year. At operational capacity, O'Hare essentially reached it 6 years ago and now there is an effort afoot by this Congress, which this amendment fortunately stops, an effort afoot to add



more than 875,000 operations at O'Hare Airport every year; 875,000. The head of the FAA, Jane Garvey, has suggested that air transportation in the future, particularly in this region, will grow as much as a million additional operations at the O'Hare Airport and in the midwest region, 1 million.

Without that high-density rule, we are now trying to squeeze 1,875,000 potential operations at O'Hare Airport, an airport that is incapable of handling the kinds of operations that the gentleman from Illinois (Mr. HYDE) and I have been articulating for the last couple of hours today.

So what is the airport doing to accommodate 875,000 operations? They are now cross-landing flights at O'Hare Airport. That is not half of it; cross-landing flights at O'Hare Airport at night. The pilots' union has objected to it, saying that it is dangerous.

Most recently, maybe within the last year, year and a half or so ago, a British Airways flight was in the process of taking off, a 747 taking off on one runway, I believe it was 32 left, at O'Hare Airport; a 727 was landing. They had approval to take off and land on cross-runways at the same time, and because the British Airways pilot saw it, he hit his brakes and blew out six tires because he realized that the 727 was incapable of stopping.

We just implemented this cross-landing procedure at O'Hare Airport within the last 2 years to address the capacity problem, and so because smaller air flights are now being cancelled from rural Illinois and other parts of Illinois into O'Hare field, our effort now is to try our best to increase competition amongst the carriers by lifting the high-density rule so that smaller aircraft can arrive at O'Hare Airport. It always works in the short run, but the high-density rule was specifically put in place for safety reasons, and that is critical and it is also very, very important. In particular, because when one looks at the reality that most of these routes are not as profitable for the larger carriers, once they get the slots they end up cancelling the small aircraft to smaller rural areas in favor of larger international flights and longer distance hubs. It keeps happening at O'Hare and that is why Archer Daniels Midland no longer has access to O'Hare Airport. That is why aircraft traveling directly from Moline, Illinois no longer have access to O'Hare Airport because the larger aircraft need the slot space, and that will not happen and be addressed until we balance this growth and build a third airport.

Mr. OBERSTAR. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Illinois (Mr. LIPINSKI), the ranking member of the Subcommittee on Aviation.

Mr. LIPINSKI. Mr. Chairman, I rise in strong opposition to the Hyde-Morella amendment that will strike

section 201 access to high-density airports from H.R. 1000. I will focus today on the high-density airport of greatest interest to my friend, my colleague, the gentleman from Illinois (Mr. HYDE), and myself: Chicago O'Hare International Airport.

The high-density rule was issued by the FAA in 1968 as a temporary, I repeat a temporary, measure to reduce delays at congested airports. The high-density rule was never designed for safety purposes. I will run that by once again. The high-density rule was never designed for safety purposes. In fact, on February 11, 1999, Jane Garvey, administrator of the FAA, testified before the Subcommittee on Aviation that there are no safety reasons for the high-density rule.

In addition, facility representatives of the air traffic controllers working in O'Hare's tower wrote that the controllers support the elimination of the high-density rule and agree that O'Hare, and I quote, is capable of handling an increase in traffic without adversely affecting safety. Therefore, contrary to what others want us to believe, eliminating the high-density rule will in no way affect air safety.

In fact, the FAA has sophisticated air traffic control programs and procedures in place to provide for safety.

For example, the FAA's central flow control system limits air traffic to operational safety levels based on the capacity of runways and airports, and it is implemented independently of the limits of the high-density rule. Air traffic controllers will continue to apply these programs and procedures for providing safety, regardless of whether the high-density rule is in place or not. Simply put, the FAA will never put more planes in the air than the system could adequately handle, and eliminating the high-density rule is not going to change that fact. There are no safety reasons for the high-density rule.

In addition, the high-density rule is no longer needed for its intended purpose of reducing delays and congestion. In fact, as a result of air traffic control improvements, congestion-related delays at O'Hare have decreased approximately 40 percent over the last decade as operations have increased. Unfortunately, O'Hare cannot fully benefit from all the improvements that enhance capacity and reduce delays. Although O'Hare could easily and efficiently handle an increase in air traffic, it cannot because of the artificial constraints of the high-density rule. In other words, the high-density rule does not reflect the capacity of O'Hare Airport but, rather, unnecessarily limits the capacity of the airport.

As for the issue of noise, which I know my colleague from Illinois is very concerned about, the high-density rule does not really serve as a noise mitigation tool. In fact, one effect of

the high-density rule has been to increase operations between 6:45 a.m. and after 9:15 p.m., the hours the slot rule is in effect, because aircraft do not need slots to operate at these times.

Elimination of the high-density rule will actually reduce noise at night and in the early morning hours because airlines will have more scheduling flexibility to operate during the day.

More importantly, in 2002 when the high-density rule is eliminated, only the quieter stage 3 aircraft will be able to serve O'Hare Airport. A 1995 study of the high-density rule by the Department of Transportation found that the removal of the high-density rule at O'Hare, in conjunction with the mandated phase-out of noisier stage 2 aircraft by the year 2000, would shrink the number of people adversely impacted by noise near O'Hare from 112,349 in 1995 to 20,820 in 2005, a net decrease of 91,529.

This is also supported by the City of Chicago's projected noise contour for O'Hare in the year 2000.

It is clear that there is no real reason to keep the high-density rule in place. However, eliminating the high-density rule will provide immediate and substantial benefits. Today, very few new entrant carriers are able to serve O'Hare because it is extremely costly to either buy a slot or go through the political process of obtaining a slot exemption. Lifting the high-density rule will create new opportunities for new entrant airlines. This will increase competition and lower fares for consumers. Without slots, carriers will also have the scheduling flexibility to serve more destinations. In fact, carriers may be more inclined to serve small- and medium-sized communities because they will no longer have to worry about using their precious few slots on the most profitable routes. Eliminating the high-density rule allows all airlines, big or small, new or old, to serve O'Hare Airport, giving consumers more choice, lower fares, and greater convenience.

I urge my colleagues to oppose the Hyde-Morella amendment. The Committee has already conceded to significant changes to Section 201, including delaying the elimination of the high-density rule at Chicago O'Hare to the year 2002. Let O'Hare Airport operate safely and efficiently like every other slot-free airport in the nation by opposing this amendment.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN), the distinguished chairman of our subcommittee.

Mr. DUNCAN. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. SHUSTER) for yielding me this time.

Mr. Chairman, I rise in opposition to this amendment. This amendment would continue the practice of unnecessarily limiting the number of flights to and from O'Hare, Kennedy, LaGuardia, and Reagan National Airports.

This is an anticonsumer amendment, an anticompetition, anti-free enterprise amendment.

The slot rule has unfairly prevented new service by new entrant carriers at

these airports. New entrants are unable to secure enough slots during desirable peak periods to provide viable service.

Furthermore, established air carriers are discouraged from serving small communities since it is most profitable to allocate their precious slots to routes that carry the most passengers.

In some cases, airlines use the slot rule to protect their market dominance. At LaGuardia, carriers use smaller prop planes in jet slots to meet their usage requirements. This prevents the FAA from revoking their slots and giving them to competitors.

According to the DOT study that has been mentioned already here, the elimination of the slots will reduce airfare and encourage new service. Consumer benefits would total at least \$1.3 billion annually.

□ 1945

According to this study, airfares on flights through LaGuardia, Reagan National, and O'Hare would drop an average of 5 percent. This amendment, however, will go in the opposite direction, lead to higher fares, less service, and lose the \$1.3 billion in consumer benefits the DOT study found are possible.

The DOT found that the airports in New York and Chicago could easily accommodate many new flights every day. Planes, Mr. Chairman, are much quieter now than 30 years ago when slots were first imposed. Small and medium-sized communities would benefit most from these additional flights, receiving the access they need to these major markets.

Contrary to some claims, lifting the restrictions will not adversely affect safety. The FAA has assured us on this. In fact, the administration's own FAA reauthorization bill also contained provisions to eliminate slot restrictions.

Many large airlines do not use all of their slots that they presently have, and lifting slot restrictions would, I think, not lead to any noticeable increase in the actual number of flights. I oppose this amendment.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to correct a statement I made previously. I indicated previously that we had allocated \$612 million for noise abatement. That was what was in our original bill. However, when we had to scale back the cost of the bill to conform with our agreement with the Speaker. One of the figures that was reduced was that, and it was reduced to \$406 million. That is the accurate figure. It still is nearly twice as much as the previous legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. HYDE. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Illinois (Mr. HYDE) has 7 minutes remaining.

Mr. HYDE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentleman from Illinois for yielding me the time.

Mr. Chairman, I rise in strong support of the Hyde-Morella amendment which would strike the provisions in the bill that would eliminate the slot rule, the limitations on take-offs and landings at O'Hare, LaGuardia and Kennedy Airports, and would add six flights to Reagan National Airport.

I urge my colleagues not to tamper with the slot rule at our Nation's high-density airports. In 1968, the slot rule was established as a solution from traffic congestion and delays at five high-density airports. Since that time, only Newark Airport has eliminated the slot rule, and Newark now has one of the highest rates of delays in the country.

Eliminating the slot rule at Kennedy, LaGuardia, and O'Hare and adding flights to National means the traffic congestion will increase at these airports. Passengers will be the ones to suffer the frustrating delays.

Over the years, the slot rule has evolved into a noise issue and a quality of life issue for citizens who live in the vicinity of the high-density airports. The existing slot rule at Reagan National Airport was a compact among Federal, local and airport officials. Its establishment by the Federal Aviation Administration was in response to the many appeals of citizens and local elected officials for relief from airport noise. Its preservation is essential to the promises that were made during the development of legislation, providing for the transfer of National and Dulles Airports from FAA control to the Metropolitan Washington Airports Authority.

Any attempts to alter the slot rule would be a breach of the good faith agreement between the FAA and the local community. Changes in the slot rule would destroy years of hard work by citizens, Members of Congress, the Washington regional government, and airport officials to provide genuine relief to the surrounding communities that are impacted by airport noise.

Limiting flights in and out of airports is an effective way to cut down on airport noise. I happened to notice in the CONGRESSIONAL RECORD that another bill, the National Parks Overflights Act, would manage and limit commercial air tour flights over and around national parks. The rationale behind this measure is that visitors to our national parks deserve a safe and quality visitor experience. 'Natural quiet,' or the ambient sounds of the environment without the intrusion of manmade noise, is a highly valued resource for visitors to our national parks. As commercial air tour flights increase, their noise also increases, and this increase in noise could hinder the opportunity for visitors on the ground to enjoy the natural quiet of the park.

In many ways, the District of Columbia is like a national park. Millions of tourists flock

here each year to visit the monuments, the White House, the Smithsonian, and the Capitol. Anyone who has spent a solemn moment in front of the Vietnam Memorial knows that their solemnity is constantly interrupted by noisy overflights. The District is our Nation's Capitol, and we have every responsibility to protect the quiet and safety of our visitors who want to savor the history of our national city in a peaceful setting.

What about safety? According to pilots, Reagan National is not the easiest place to land a jumbo jet full of passengers. Even the most seasoned pilots admit it is hard to maneuver over a densely populated area and four major bridges while avoiding the White House airspace and all five of the Pentagon's rooflines.

Last year, I repeatedly pressed the FAA to respond expeditiously to the rash of radar outages that plagued the National Airport just after the opening of its new terminal. Recently, I was informed by the FAA that they are having trouble with their radar computer replacement system called STARS, and, consequently, they are going to install an interim software system until STARS is ready.

According to Richard Swauger, national technology coordinator of the National Air Traffic Controllers Association, that interim software system is slower. Does it make sense to add more flights at the high-density airports when the FAA's new, but slower, interim system will most likely increase delays for airline passengers?

Well, additional flights at our high-density airports will increase delays. I think it will impair safety and increase noise. The rules governing the use of the high-density airport should be left to the purview of the local authorities and the surrounding local jurisdictions, not the U.S. Congress and the Federal Government. Only 1.2 percent of the Nation's air travelers use Reagan National Airport. It is highly doubtful that the added slots, which has only one runway and is in the center of a densely populated area, will increase competition and create lower prices.

So I certainly urge my colleagues to vote yes on the Hyde-Morella amendment.

Mr. OBERSTAR. Mr. Chairman, may I ask how much time is remaining?

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) has 5 minutes remaining. The gentleman from Illinois (Mr. HYDE) has 3 minutes remaining. The gentleman from Pennsylvania (Mr. SHUSTER) has 3½ minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Let me set the stage for this issue. We have a national aviation system, not a collection of individual airports around America. We have a national integrated system of airports. Aviation depends on all of them functioning together. They are linked by the FAA

with the full control center out at Herndon so that at times of stress, as we had yesterday, when there are weather patterns moving around the country, that central flow control can coordinate among all those airports and prevent aircraft from congregating in areas where they may be exposed to unacceptable levels of weather and, therefore, delays and possible accidents.

We have large hubs, medium hubs, small hubs, general aviation airports, reliever airports. The 29 large hubs in America account for 67 percent of all passenger boardings in this country. O'Hare is the largest of the hubs. It is not just the largest, it is the largest in the world, the largest airport, the most important airport in the world.

Without O'Hare, small towns like Des Moines, Iowa, find their business community drying up. If they cannot get into O'Hare, they cannot conduct business. Small towns like Duluth, Minnesota, need access to O'Hare Airport. We have to be able to access our business community to that marketplace.

Why is O'Hare important? Because Chicago is the hub of mid-America, agriculture, business, jobs, exports. Within 300 miles of O'Hare are 40 percent of all of America's exports. Within 500 miles of O'Hare is 45 percent of the Nation's agriculture. To be competitive in the Nation's and the world's marketplace, one needs access to O'Hare.

Eight years ago, I worked with my dear friend for whom I have enormous respect for the courage and leadership that he has taken on the right to life issue, and we made right to less noise an issue. We have got this country on a downward spiral on noise. From 7½ million people 9 years ago, or 8 years ago, exposed to unacceptable levels of noise, we will be down to 115,000 all over America; 115,000 total. That is all. We have got all aircraft in the Nation's fleet down to Stage 3.

Now, what about this high density rule? It was imposed because FAA in the 1960s could not manage the traffic. Today they have the air traffic control tools to manage that traffic. I have met several times with the career professional chief of air traffic control at the O'Hare TRACON; that is the terminal radar control facility which manages approach control.

"We will never allow safety to be compromised," he said. "We will hold to the 100 per hour arrival rate. We can do better throughout the day. We can distribute those aircraft throughout the day on a better basis and accommodate more communities, but we will never allow safety to be compromised."

That is the real issue here. Secretary Slater has said the high density rule was never designed for safety purposes. Administrator Garvey of the FAA, says, "There are no safety reasons for continuing to maintain the high density rule. There are no competitive rea-

sons for maintaining the high density. We will increase competition without necessarily increasing unacceptable levels of noise," as the gentleman rightly is concerned about, but we will increase competition.

Why should airlines that received free the right to serve O'Hare, LaGuardia, Kennedy, National Airport, received that free, have been permitted to convert a public good into a private right with value that they can now sell for as much as a million dollars apiece for arrival and departure? That is unacceptable.

If I had my way, we would eliminate the high density as of the enactment of this legislation, but we are accommodating people all across this country, accommodating various interests and various concerns and doing it in a fair way.

This amendment is unnecessary. It is unwise. It is counter to competition, counter to fairness, and counter to those people who wish to be protected from noise. We should defeat this amendment.

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentleman from Illinois for allowing me this opportunity to speak on this measure.

Mr. Chairman, I rise in strong support of this measure, and I also would like to compliment the gentlewoman from Maryland (Mrs. MORELLA) for her leadership as well.

This is not just about competition. This is not just about economic interests. This is also about people and neighborhoods and livability. It is about noise.

One of the issues that I want to talk about is the increased level of noise associated with increased flights. Lest my colleagues think this is an all-Illinois battle, I hasten to add that Reagan National Airport impacts the citizens of my district along the Potomac in Maryland. We are already in negotiations with the FAA over the noise problem affecting my constituents.

Now, we understand that we have to have flights, and we understand that commerce must continue, but it seems to me that there ought to be a reasonable balance and a fair consideration given to the concerns of Joe Citizen. What the citizens are saying is that they cannot enjoy their homes because of frequent flights. They cannot enjoy their homes because of cracked walls due to airport noise. They cannot enjoy their homes when their furniture and their artifacts rattle across the dining room table.

What they are saying to us is we need to control the increase of air flights coming into their community. That is what this amendment does. It enables us to consider the interests of the average citizen as we determine our national policy.

Reagan National Airport is unique. Unlike many airports that are far outside the city limits, those of us in Congress, of course, know Reagan National Airport is practically in Washington. That is how we make our flights home, those of us who have to leave. That means that it impacts a lot of communities. To add additional flights to this airport is particularly onerous because it affects citizens of the District, citizens from northern Virginia, citizens in Maryland, and it affects them in an unfair way that is not necessary.

We have a reasonable balance under the existing law. We ought to maintain that and continue to work to take into consideration the interests of Joe Citizen.

□ 2000

Mr. HYDE. Mr. Chairman, I yield myself the balance of my time.

My colleagues, when the good Lord makes more airspace over O'Hare Field, then we can have more flights in there. But when there are more flights, we use up the space, we use up the air, we use up the ground, and there is not any more.

We are already the busiest airport in the world. We get some pretty bad weather in Chicago, and by stuffing or shoveling more flights into O'Hare, we create lots of problems for my constituents and for everybody that is flying around the country, because those backups and delays are going to radiate and ripple out.

I ask my colleagues to consider safety, to consider noise, to consider pollution, and to consider the status quo, which is serving us well, until we build more airports and more capacity. We are not doing that now and we should not add more flights.

Mr. Chairman, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield myself the balance of my time, and I would simply say, in closing, that I have enormous respect for my friend from Illinois. I understand he is representing well his constituency. But on our committee we must take the view of what is best for the entire Nation, and on that basis we must oppose the amendment of my good friend, the gentleman from Illinois (Mr. HYDE). I urge its defeat.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All debate time on this amendment has expired.

The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The amendment was rejected.

AMENDMENT NO. 6 OFFERED BY MR. MORAN OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN).

Mr. PORTER. Mr. Chairman, I ask unanimous consent to withdraw my demand for a recorded vote on the Moran amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The demand for a recorded vote is withdrawn.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CALVERT) having assumed the chair, Mr. BONILLA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1000) to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes, pursuant to House Resolution 206, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. SHUSTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 316, noes 110, not voting 9, as follows:

[Roll No. 209]

#### AYES—316

Abercrombie	Barr	Biggart
Ackerman	Bartlett	Bilbray
Allen	Barton	Bilirakis
Andrews	Bass	Bishop
Arney	Bateman	Blagojevich
Bachus	Becerra	Bliley
Baird	Bereuter	Blumenauer
Baker	Berkley	Blunt
Baldacci	Berman	Boehlert
Barcia	Berry	Bonior

Bono	Hastings (FL)	Ose
Borski	Hastings (WA)	Owens
Boswell	Hayes	Oxley
Boucher	Hefley	Pallone
Brady (PA)	Hill (IN)	Pascarell
Brown (FL)	Hill (MT)	Payne
Bryant	Hilleary	Pease
Burton	Hilliard	Peterson (MN)
Buyer	Hinchey	Peterson (PA)
Calvert	Hinojosa	Petri
Camp	Hoekstra	Phelps
Campbell	Holden	Pickering
Canady	Holt	Pickett
Cannon	Hooley	Pombo
Capps	Horn	Pomeroy
Capuano	Hunter	Price (NC)
Cardin	Hutchinson	Quinn
Carson	Isakson	Rahall
Chambliss	Jackson-Lee	Rangel
Clay	(TX)	Reyes
Clayton	Jefferson	Reynolds
Clement	Jenkins	Rivers
Coble	John	Rodriguez
Collins	Johnson, E.B.	Roemer
Combest	Jones (OH)	Rogan
Condit	Kanjorski	Rogers
Conyers	Kaptur	Ros-Lehtinen
Cook	Kelly	Rothman
Cooksey	Kennedy	Rush
Costello	Kildee	Ryan (WI)
Coyne	Kind (WI)	Sanchez
Cramer	King (NY)	Sanders
Crowley	Klecza	Sandlin
Cubin	Klink	Sawyer
Cummings	Kucinich	Saxton
Cunningham	Kuykendall	Schaffer
Danner	LaFalce	Schakowsky
Davis (IL)	LaHood	Scott
Davis (VA)	Lampson	Serrano
Deal	Lantos	Shaw
DeFazio	Larson	Sherman
DeGette	Latham	Sherwood
DeLaunt	LaTourette	Shimkus
DeLauro	Lazio	Shows
DeMint	Leach	Shuster
Deutsch	Lee	Simpson
Diaz-Balart	Levin	Sisisky
Dickey	Lewis (CA)	Skeen
Dicks	Lewis (KY)	Skelton
Dingell	Linder	Slaughter
Dixon	Lipinski	Smith (MI)
Dooley	LoBiondo	Smith (NJ)
Doolittle	Lofgren	Smith (TX)
Doyle	Lucas (KY)	Souder
Dreier	Lucas (OK)	Spence
Duncan	Maloney (CT)	Stabenow
Dunn	Maloney (NY)	Strickland
Ehlers	Manzullo	Stupak
Ehrlich	Markey	Sweeney
Engel	Martinez	Talent
English	Mascara	Tancredo
Eshoo	Matsui	Tanner
Etheridge	McCarthy (MO)	Tauscher
Evans	McCarthy (NY)	Tauzin
Ewing	McCollum	Taylor (MS)
Fattah	McCrery	Terry
Filner	McDermott	Thomas
Fletcher	McGovern	Thompson (CA)
Forbes	McHugh	Thompson (MS)
Ford	McIntyre	Thune
Fossella	McKeon	Tierney
Fowler	McKinney	Towns
Frank (MA)	McNulty	Trafigant
Franks (NJ)	Meek (FL)	Turner
Frost	Meeks (NY)	Udall (CO)
Gallegly	Menendez	Udall (NM)
Ganske	Metcalf	Upton
Gejdenson	Mica	Velázquez
Gekas	Millender-	Vento
Gephardt	McDonald	Vitter
Gilchrest	Miller, Gary	Walden
Gillmor	Mink	Walsh
Gilman	Moakley	Watkins
Gonzalez	Mollohan	Watts (OK)
Goode	Moore	Waxman
Goodlatte	Moran (KS)	Weiner
Goodling	Murtha	Weldon (FL)
Granger	Nadler	Weldon (PA)
Green (TX)	Napolitano	Weygand
Green (WI)	Neal	Whitfield
Greenwood	Ney	Wicker
Gutierrez	Northup	Wilson
Gutknecht	Norwood	Wise
Hall (OH)	Nussle	Woolsey
Hansen	Oberstar	Wu
Hastert	Ortiz	Young (AK)

#### NOES—110

Aderholt	Hoyer	Regula
Archer	Hulshof	Riley
Baldwin	Hyde	Rohrabacher
Ballenger	Inslee	Roukema
Barrett (NE)	Istook	Roybal-Allard
Barrett (WI)	Jackson (IL)	Royce
Bentsen	Johnson (CT)	Ryun (KS)
Boehner	Johnson, Sam	Sabo
Bonilla	Jones (NC)	Salmon
Boyd	Kasich	Sanford
Brown (OH)	Kilpatrick	Scarborough
Burr	Kingston	Sensenbrenner
Callahan	Knollenberg	Sessions
Castle	Kolbe	Shadegg
Chabot	Largent	Shays
Chenoweth	Lowey	Smith (WA)
Clyburn	Luther	Snyder
Coburn	McInnis	Spratt
Cox	McIntosh	Stark
Crane	Meehan	Stearns
Davis (FL)	Miller (FL)	Stenholm
DeLay	Miller, George	Stump
Doggett	Minge	Sununu
Edwards	Moran (VA)	Taylor (NC)
Emerson	Morella	Thornberry
Everett	Myrick	Thurman
Farr	Nethercutt	Tiahrt
Foley	Obey	Toomey
Frelinghuysen	Olver	Visclosky
Gibbons	Packard	Wamp
Goss	Pastor	Waters
Graham	Paul	Watt (NC)
Hall (TX)	Pelosi	Weller
Hayworth	Pitts	Wexler
Herger	Porter	Wolf
Hobson	Portman	Wynn
Hoefel	Ramstad	

#### NOT VOTING—9

Brady (TX)	Hostettler	Pryce (OH)
Brown (CA)	Houghton	Radanovich
Gordon	Lewis (GA)	Young (FL)

#### □ 2028

Messrs. GEORGE MILLER of California, LUTHER, EVERETT, and Mrs. LOWEY changed their vote from “aye” to “no.”

Messrs. PICKERING, McKEON, FLETCHER, and Ms. GRANGER changed their vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRADY of Texas. Mr. Speaker, on roll-call No. 209, I was unavoidably detained. Had I been present, I would have voted “yes.”

#### GENERAL LEAVE

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1000, the bill just considered.

The SPEAKER pro tempore (Mr. HAYES). Is there objection to the request of the gentleman from New York?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1000, AVIATION INVESTMENT AND REFORM ACT FOR THE 21ST CENTURY

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent that the enrolling